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Noak v. Idaho Dept. of Correction Clerk's Record v. 6 Dckt. 37788

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IN THE
SUPREME COURT
OF THE
STATE OF IDAHO

JOHN F. NOAK, M.D.,

PLAINTIFF-APPELLANT,

vs.

PRISON HEALTH SERVICES, INC., a subsidiary of
AMERICAN SERVICES GROUP, INC.,

DEFENDANT,

and

IDAHO DEPARTMENT OF CORRECTION;
RICHARD D. HAAS; and DOES 1-10,

DEFENDANTS-RESPONDENTS.

*Appealed from the District Court of the Fourth Judicial
District of the State of Idaho, in and for ADA County*

Honorable RICHARD D. GREENWOOD, District Judge

JOHN A. BUSH

Attorney for Appellant

EMILY A. MAC MASTER
Deputy Attorney General

Attorney for Respondent

VOLUME VI

COPY

37788

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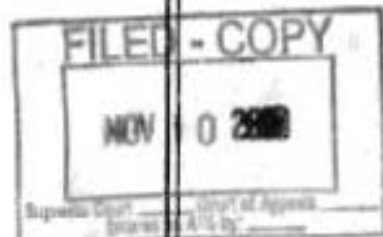


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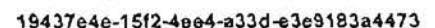
EXHIBIT

001001

JOHN F. NOAK, M.D.,)
Plaintiff,)
vs.) Case No. CV OC 0623517
PRISON HEALTH SERVICES, INC., a)
subsidiary of AMERICAN SERVICES)
GROUP, INC.; IDAHO DEPARTMENT OF)
CORRECTION; RICHARD D. HAAS; and)
DOES 1-10,)
Defendants.)
)

FEBRUARY 27, 2009

Notary Public



1 February 2nd?

2 A. Not to my recollection.

3 Q. And you may -- in some of the documents we get
4 to your recollection may be refreshed. But do you
5 remember talking to anybody on February 4th?

6 A. Yes. Spoke to Dr. Noak on February 4th.

7 Q. Okay. And other than Dr. Noak, do you remember
8 talking to anybody else about the incident?

9 A. February 4th? I don't recall speaking to
10 anyone else about the incident.

11 Q. Do you recall speaking to anybody on
12 February 5th about the incident?

13 A. February 5th we received notice from David Haas
14 that there was going to be an investigation.

15 Q. And in terms of the notes that you have
16 reflected on Exhibit No. 4, did you have a conversation
17 with Mr. Haas about that notice?

18 A. I had a conversation on the morning of
19 February 6th.

20 Q. Okay. And on February 5th when you received
21 notice from Mr. Haas that there would be an investigation,
22 how did that notice come?

23 A. It came via fax.

24 Q. Okay. All right. So let's back up now and go
25 back to February 2nd. Okay? When you talked to Dr. Noak,

1 what do you remember him telling you about what happened?

2 A. Dr. Noak said it was a patient encounter,
3 Dr. Noak said that he did not shove Ms. Nicholson,
4 Dr. Noak said that patient Hernandez was wobbling and he
5 assisted her back to her room down the hallway.

6 Q. Okay. Why didn't you make any handwritten
7 notes of your conversation with Dr. Noak on February 2nd?

8 A. I can't answer that right now. I -- it was on
9 the cell phone at -- I don't recall.

10 Q. Okay. Your handwritten notes, Exhibit No. 1,
11 reflects --

12 MR. NAYLOR: Exhibit 4.

13 MR. BUSH: -- or Exhibit 4, excuse me -- you
14 got, Lt. Pressley, inmate complained to her. Do you see
15 that?

16 THE WITNESS: Yes.

17 Q. (BY MR. BUSH) Okay. Is that information that
18 you received from Mr. Machin, or did you actually talk to
19 Lt. Pressley?

20 A. No. That's information received from
21 HSA Machin.

22 Q. Okay. Then you write, contact Noak to call
23 Lt. Pressley to follow up about incident. Do you see
24 that?

25 A. That was my plan at that time.

1 Q. Okay. And then subsequently, I gather, that
2 plan changed and you also wanted Dr. Noak to go see the
3 inmate?

4 A. Yes.

5 Q. And Janna Nicholson?

6 A. Yes.

7 Q. Okay. Did you know that Dr. Noak had
8 been -- strike that.

9 Did you know that Lt. Pressley had told
10 security to deny access to Dr. Noak if he went to the
11 facility?

12 A. No, I did not know that.

13 Q. Did you ever learn that?

14 A. No, I did not.

15 Q. In terms of the information where you have
16 Noak, and then where you saw patient Friday. The comment,
17 threw down the chart, do you see that?

18 A. Uh-huh.

19 Q. Again, that's information that you received
20 from Andy Machin, correct?

21 A. Yes.

22 Q. Okay. Did you ask Dr. Noak whether he'd thrown
23 down the chart?

24 A. Yes.

25 Q. And what did he say?

1 A. No. He did not throw down the chart.

2 Q. What was the normal protocol for SWB -- SBWCC
3 in terms of medical care? In other words, who was the
4 primary person there designated to see the inmates?

5 A. We had at that time a physician assistant --
6 Karen Barrett was the prescribing provider at South Boise.
7 We had nurses and other health care specialists during the
8 day shift, evening shift, seven days a week.

9 Q. Okay. And was the typical protocol that if an
10 inmate put in a request for medical care, that that
11 request would be reviewed by someone? And this is at
12 SBWCC.

13 A. Every request was triaged by one of our health
14 care people on a daily basis.

15 Q. Okay. And then was there -- and if that inmate
16 needed to be seen based on the triage by whomever it may
17 be, at least at SW -- or SBWCC, would that inmate
18 typically be seen by the PA?

19 A. The inmate would be seen -- depending on the
20 severity of the case based on the triage -- by either the
21 nurse, the correctional medical specialist. If it was a
22 case that was more involved, they would be seen by the
23 physician assistant.

24 Q. Okay. And if the -- if a determination was
25 made that the condition was such that someone other than

001003

1 physician assistant needed to see the patient, who would
2 make that determination?

3 A. The physician assistant would then refer it to
4 the physician.

5 Q. And as to the physician who was -- well, strike
6 that.

7 Was there a physician who was assigned to
8 SBWCC?

9 A. That would have been Dr. Noak.

10 Q. Okay. In his role as the statewide medical
11 director supervising all the facilities in the state,
12 correct?

13 A. In his role as the physician of record for
14 South Boise. SICI more -- SICI. South Boise was a
15 affiliate -- was associated with SICI. Dr. Noak was the
16 physician at SICI, so he assumed responsibility to be the
17 physician at South Boise.

18 Q. Okay.

19 A. John Noak was also on call for that facility.

20 Q. All right. When you got back from Indiana, I
21 think -- and we'll get to it in a minute, but it looks
22 like you got back on February 4th?

23 A. On the 4th.

24 Q. Okay. And then you met with Dr. Noak that day,
25 correct?

1 A. I had a conversation with Dr. Noak, yes.

2 Q. Okay. And, in fact, you have a pretty lengthy
3 handwritten note about the meeting with him that day,
4 correct?

5 A. Yes, I did.

6 Q. Okay. And I think you had indicated that other
7 than Dr. Noak, you didn't meet with anybody else that day,
8 correct?

9 A. Not to my recollection.

10 Q. Okay. As it relates to this incident, when you
11 got back on February 4th, did you make any effort to talk
12 to Janna Nicholson at that point?

13 A. No, I did not.

14 Q. Okay. Did you make any effort to talk to Andy
15 Machin directly?

16 A. On the -- I do not recall that.

17 Q. What about Lt. Pressley?

18 A. I do not recall that. I met with the staff on
19 February 9th at South Boise.

20 Q. All right. And we'll get to that. At any
21 point in time during this whole sequence of events, did
22 you ever review Norma Hernandez's medical chart?

23 A. No, I did not.

24 Q. Did you ever personally talk to Karen Barrett?

25 A. On the 9th.

1 Q. Okay. That was in a meeting, correct?

2 A. Yes.

3 Q. Okay. And there were lots of people there, and
4 we'll talk about that. But in terms of just a one-on-one
5 situation, you know, what did you see, what did you hear
6 type of thing, did you ever talk to Karen Barrett?

7 A. I don't recall that.

8 Q. Okay. Did you ever on a one-on-one type of
9 situation ever talk to Janna Nicholson?

10 A. At a meeting on February 9th.

11 Q. Okay. Again, outside the context of meeting
12 with other people, did you ever have an independent
13 one-on-one with Janna Nicholson?

14 A. Not to my recollection.

15 Q. Okay. And did you ever talk to the inmate?

16 A. No. I did not speak to the inmate.

17 (Deposition Exhibit No. 5 was
18 marked for identification.)

19 Q. (BY MR. BUSH) Exhibit No. 5, Mr. Dull, is a
20 document, PHS number 3, which appears to be an email from
21 you to Mr. Machin dated February 2nd, correct?

22 A. Correct.

23 Q. And the time is reflected as 10:52 a.m.; is
24 that correct?

25 A. Correct.

1 Q. And you indicate to Mr. Machin that you had
2 spoken to Dr. Noak, correct?

3 A. Correct.

4 Q. Did you have more than one conversation with
5 Dr. Noak on that day?

6 A. No.

7 Q. Okay.

8 A. Not to my knowledge.

9 Q. Okay. And it indicates that you spoke to
10 Dr. Noak and that he'll make -- and he apparently advised
11 you that he would make a visit to SW -- SBWCC to see
12 Lt. Pressley and do some PR damage control, correct?

13 A. Correct.

14 Q. Then you also write, and also follow up with
15 the patient, correct?

16 A. Correct.

17 Q. Okay. I don't see anything in there that
18 indicates that he also was going to go see Janna
19 Nicholson, do you?

20 A. It's not written there, no.

21 Q. Okay. And the handwriting that's on that
22 document, when was that put on there?

23 A. These are my notes.

24 Q. Understand that.

25 That's your handwriting, correct? 001004

1 Corrections has a complaint and grievance process. But
2 PHS had their own complaint and grievance process whether
3 run in conjunction of IDOC or not?

4 A. It was the IDOC's policy.

5 Q. Okay. But you understand that in the
6 contract -- or do you understand that in the contract, PHS
7 had provisions in there that says this is how we will deal
8 with inmates who complain about health care?

9 A. Yes. We use the Idaho Department of
10 Corrections policy.

11 Q. And that policy included involving PHS folks in
12 the investigation process, true?

13 A. The policy -- once there was a complaint, or a
14 grievance written, there would be an investigation.

15 Q. Okay. And in this case, at least as it relates
16 to what happened in St. Anthony, do you recall that there
17 was a written complaint?

18 A. Yes.

19 Q. All right. And in Dr. Noak's --

20 A. To the best of my recollection it was a
21 complaint.

22 Q. And we'll refresh that, if we need to. But as
23 it relates to Dr. Noak, do you recall that there was a
24 written complaint?

25 A. I do not recall there was a written complaint.

1 Q. Okay. But you never did see -- or have you
2 ever seen to this day the written complaint that Norma
3 Hernandez made on the evening of January 30?

4 A. I have not seen that.

5 Q. If you turn to the second page of Exhibit 4
6 where it says SW -- SBWCC, many implications, internal
7 investigation only, not criminal. Do you see that?

8 A. Yes.

9 Q. And is that still related to your conversation
10 with Dr. Haas [sic]?

11 A. Yes.

12 Q. What do you recall him saying about that, or
13 was that your impression of what he was telling you?
14 Just -- help me understand your note there, if you can.

15 A. Well, according to my recollection, that David
16 Haas relayed to me this was an internal investigation.
17 There were no criminal charges. At this time, it was a
18 IDOC criminal investigation of the events of the 30th.

19 Q. An internal investigation only. Was it your
20 understanding that that meant internal to IDOC?

21 A. Yes. That was my understanding at that point
22 in time.

23 Q. Then there's some comments about concerns over
24 Baillie. Do you see that?

25 A. Yes, I see that.

1 Q. What's that about?

2 A. Jon-Eric Baillie was the physician at Idaho
3 State Correctional Institution. There had been some
4 complaints by the superintendent of reports of
5 Dr. Baillie's bedside manner being at times rough, as I
6 stated in there.

7 He had -- was reported to be -- have
8 inappropriate conversations with staff, that is, angry
9 conversations with staff. These were as reported by
10 Warden Blades as he was walking around the yard.

11 Q. Okay. And so you apparently made a note to
12 yourself to speak to Dr. Baillie?

13 A. Yes.

14 Q. And then you said, plus Vern. Was that Vern
15 McCready?

16 A. Vern McCready, yes.

17 Q. What were you supposed to be talking, if you
18 recall, to Mr. McCready about?

19 A. The same, attitudes. It was the impression of
20 the client, that is Warren Blades.

21 Q. Did you get a separate letter from Mr. Haas
22 relative to Dr. Baillie?

23 A. Not at this time, no.

24 Q. Did you get a separate letter from Dr. Haas --
25 Mr. Haas as to Mr. McCready?

1 A. Not at this time, no.

2 Q. And it says, check Mick. What does that mean?

3 A. Mick DeLeonard was the CMS supervisor at Idaho
4 State Correctional Institution.

5 Q. Okay. So is it fair to say that on your
6 conversation with -- in your conversation with Mr. Haas on
7 February 6th, there were concerns raised about the
8 incident with Dr. Noak, correct?

9 A. Yes.

10 Q. Concerns raised about an incident involving
11 Lisa Bell in St. Anthony?

12 A. Yes.

13 Q. Concerns raised about Dr. Baillie?

14 A. Yes.

15 Q. And concerns raised about Vern McCready?

16 A. Yes.

17 Q. And your understanding was, as to those four
18 issues, the IDOC was doing an internal investigation only
19 as it related to Dr. Noak?

20 A. No, with Lisa Bell.

21 Q. Okay. With Lisa Bell as well?

22 A. That was the St. Anthony.

23 Q. Right. Understand.

24 The Lisa Bell incident happened -- and we can
25 check it in the records if we need to, but based on my

001005

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1 you recall having any conversations about what you were
 2 ultimately going to do with Dr. Noak given that he had
 3 been barred from the facility?
 4 A. No.
 5 Q. Okay. Now, I'm going to stop here for a minute
 6 before we get -- well, let me just -- you write Andy. And
 7 is that Andy Machin?
 8 A. Yes.
 9 Q. Okay. So did you have a conversation with him
 10 that day as well?
 11 A. I needed to find out where Dr. Noak was at the
 12 time. He would either be at SICI or IMSI, 'cause those
 13 were where he did physician duties.
 14 Q. So I'm not clear from that on whether you were
 15 calling Andy to find out --
 16 A. Yes. I was calling Andy to find out where
 17 Dr. Noak was.
 18 Q. And when you write, told him IMSI, does that
 19 mean he told you that Dr. Noak was at IMSI?
 20 A. Yes.
 21 Q. Okay. And I don't know that it's a big deal,
 22 but I think that I saw --
 23 A. And the conversation -- you know, again,
 24 looking at my notes -- reading my notes, we needed to find
 25 out where Dr. Noak was.

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1 Q. Okay.
 2 A. Whether it was a call to Andy or from Andy, I
 3 found that Dr. Noak was at IMSI.
 4 Q. Okay. And I was just trying to figure out
 5 time, but I guess it was --
 6 A. Between.
 7 Q. Yeah. But it looks like -- I just saw an email
 8 where he was escorted out of the facility around 3:10 that
 9 afternoon, which would be sometime shortly after this
 10 conversation with Mr. Holliman. Is that consistent with
 11 your recollection?
 12 A. Yes. That was in that 2:30, 2:35 range.
 13 Q. Okay. One of the things that I'm going to go
 14 back to, because one of the things I forgot to address
 15 was -- my questions were probably a little bit unfair to
 16 you in the sense that between February 6th and
 17 February 12th, as you had referred to earlier, you had a
 18 meeting on February 9th?
 19 A. Yes.
 20 Q. Okay. And let's talk about that meeting for a
 21 minute. Who was the meeting with?
 22 A. PHS staff.
 23 Q. And when you say PHS staff, who are you talking
 24 about?
 25 A. Janna Nicholson, Karen Barrett, and Andy

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1 Machin.
 2 Q. And anybody else?
 3 A. I believe Dana Garcia was there.
 4 Q. And who's --
 5 A. The director of nursing.
 6 Q. And how was this meeting called, if you will?
 7 A. I had asked to see the health care staff at
 8 South Boise.
 9 Q. Okay. And when did you first do that, do you
 10 remember?
 11 A. On the 9th.
 12 Q. The meeting -- you called this meeting for the
 13 9th?
 14 A. Right.
 15 Q. When did you set the meeting up? Did you do it
 16 the morning of the 9th, or did you do it the 8th? The
 17 7th?
 18 A. I don't recall if I did it on the 8th, or the
 19 morning of the 9th.
 20 Q. And, you know -- and don't misread this in any
 21 way Mr. Naylor, or anybody else. But, I mean, throughout
 22 this there are meetings that occur, and there are emails
 23 that go back and forth. So you have a meeting here, or
 24 have a meeting here. I've seen nothing that relates to a
 25 meeting on the 9th, whether it be notes, or emails setting

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1 the meeting up or --
 2 A. Most probably I made a call. I -- I -- I don't
 3 know for certain.
 4 Q. Okay. Where did the meeting occur?
 5 A. At South Boise.
 6 Q. At the South -- the Southwest Boise --
 7 A. South Boise Women's Correctional Center.
 8 Q. Okay. Where within that facility did it occur?
 9 A. In the health care unit, the office.
 10 Q. Okay. So there would have been five of you in
 11 the office?
 12 A. The health care unit has a conference room.
 13 Q. Okay.
 14 A. Yeah.
 15 Q. So five of you in the conference room?
 16 A. Yes.
 17 Q. And how long did it last?
 18 A. It wasn't an extremely long meeting.
 19 Q. What was your purpose for calling the meeting?
 20 A. To get -- to speak with the staff to get
 21 direct -- their understanding of what went on. I
 22 wanted -- tell me the events that went on. Up until that
 23 point in time, I did not speak directly to these folks.
 24 So I wanted their -- I wanted them to relate what went on
 25 on the 30th.

001006

EXHIBIT

001007

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

JOHN F. NOAK, M.D.,)

Plaintiff,)

vs.)

Case No. CV OC 0623517

PRISON HEALTH SERVICES,)

INC., a subsidiary of)

AMERICAN SERVICES GROUP,)

INC.; IDAHO DEPARTMENT)

OF CORRECTION;

RICHARD D. HAAS; and)

DOES 1-10.

Defendants.)

DEPOSITION OF JANNA NICHOLSON

FEBRUARY 2, 2009

REPORTED BY:

BARBARA BURKE, CSR No. 463

Notary Public



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1 A. Basically, Karen is responsible for the
2 girls down there. Most of the time, if we're
3 having issues with someone, we call Karen because
4 then the continuum of care goes on. That was
5 just pretty much standard procedure.
6 The second part of that is, I had no
7 idea Dr. Noak -- Dr. Noak is not typically
8 around, so it wouldn't be something that I would
9 do to call up to SICI to talk to him about one of
10 the girls, that just wouldn't --
11 Q. Fair enough, but at least, according to
12 the Interview Summary, you told the detectives
13 that somebody contacted Dr. Noak who was on duty
14 at SICI.
15 So when you talked to the detectives on
16 February 12th, you told them that you understood
17 Dr. Noak was on-site at SICI; correct?
18 A. Correct, but that is a generalized
19 statement, and I came to find that out after I
20 made the call to Karen. I did not know he was
21 there.
22 I found out Andy was up at -- or he was
23 up at SICI inadvertently. I wasn't -- I had no
24 idea he was up there.
25 Q. Okay. Now, the next entry you make

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1 into the Progress Notes is this 1-29-04. We're
2 still on IDOC1528.
3 A. Okay.
4 Q. If I'm reading this correctly, the next
5 entry you make is, "See flow sheet for vital
6 signs, input/output throughout day"?
7 A. Okay.
8 Q. Is that correct?
9 A. Yes.
10 Q. Okay. And so that's a document -- or
11 I mean an entry you made knowing that one of the
12 things you were going to be doing that day was
13 documenting vital signs and input and output
14 throughout the day?
15 A. Correct.
16 Q. So you weren't going to go back to the
17 Progress Note all the time; you were going to
18 note that somewhere else?
19 A. Correct.
20 Q. And while we're at it --
21 A. I did create a flow sheet.
22 MR. NAYLOR: (Handing document to the
23 witness).
24 THE WITNESS: No. That was mine,
25 right there (indicating).

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1 Q. (BY MR. BUSH) Does the flow sheet that
2 you created appear to be IDOC5024?
3 A. Yes.
4 Q. Okay.
5 A. There should be another one, though.
6 Q. Then would 5027 be the continuation of
7 the flow sheet, IDOC5027?
8 A. No. These are orthostatic blood
9 pressures.
10 MS. MAC MASTER: There is an IDOC4932,
11 but it looks like it might be for a different
12 date period.
13 Q. (BY MR. BUSH) Well, let me just ask
14 you this way:
15 In terms of the flow sheet, do you
16 recall -- well, let me ask you this:
17 Why do you think there should be
18 another one?
19 A. Because there -- the times aren't
20 correct, and this looks like it starts at 13:00 --
21 maybe it is correct. Maybe I'm thinking of the
22 second one, which was a different day.
23 So I guess if this is all that's there,
24 that's probably -- this is probably it then for
25 this particular day.

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1 Q. Okay. Back to IDOC5028. The next
2 entry that you make on the 29th --
3 A. Okay. I've got it.
4 Q. So IDOC5028, there's another entry for
5 the 29th authored by you; correct?
6 A. Correct.
7 Q. And that one is about noon; is that
8 correct?
9 A. Yes.
10 Q. And on the color copy in red there's a
11 little star and then on 1-29-04 at 12:00 is
12 underlined in red. Is that you?
13 A. Yes.
14 Q. Why did you do that?
15 A. Because that was just one of those
16 little notes to myself that was significant.
17 Q. When did you do that?
18 A. I can't tell you exactly when I did it.
19 It was the 29th or the 30th, one of the two days.
20 Q. So you didn't do it at the time that
21 you made the entry?
22 A. I could have.
23 Q. What reason would you have to go back
24 and highlight in red with a star "1-29-04" in
25 this particular entry?

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1 A. Well, simply because I was headed down
2 a road I'd been down before with Dr. Noak. So I
3 just started documenting.
4 Q. Explain that to me. At noon on
5 January 29th, '04, you thought you were headed
6 down some road with Dr. Noak that you thought you
7 had been down before?
8 A. Well, basically, the situation was one
9 that was very similar in the beginning to something
10 that I had been through before.
11 Q. And what was that that was very similar?
12 A. What was the other incident?
13 Q. No. What was it about this situation
14 that was similar to something else?
15 A. Well, unfortunately, I can't remember
16 all the verbalizations that occurred or what was
17 said on the phone. You know, this is minimal.
18 This is just a quick brief note of what's to
19 come. Do you know what I mean?
20 So I can't tell you the words that were
21 said on the phone or what was going on, but the
22 indication I got was Dr. Noak was on-site up
23 there at his SICI, and that he was going to come
24 down and assess the patient or bring the straining
25 stuff.

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1 Q. And that came from whom?
2 A. Andy Machin. So at that point in time
3 it was -- and like I said, I cannot remember the
4 words. It's been a long time.
5 It was already apparent to me that I
6 had another situation that was seemingly not a
7 priority.
8 Q. So you were making a notation in red --
9 in red on the chart you were making some indication
10 on the chart for yourself, I gather, for what
11 purpose?
12 A. For documentation purposes. If you
13 look through many of my charts, significant
14 things are highlighted and/or underlined in red.
15 Q. And so if I understand your testimony
16 correctly -- and also understanding there's the
17 history that you have with Dr. Noak -- that as of
18 noon on 1-29-04 you felt like you were headed
19 down some road you had been down with him before?
20 A. What I'm telling you is the indication
21 I got from the conversation I had with Andy as
22 he's relaying information from Dr. Noak, it gave
23 me pause to be concerned. It made me concerned.
24 Q. In your Interview Summary, which is
25 Exhibit 2, in paragraph 6 -- actually, in

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1 paragraph 5 is I think where you first note that
2 you made a call to SICI in order to retrieve the
3 equipment that you needed to strain urine; is
4 that correct?
5 A. That's correct.
6 Q. Okay. So did you call SICI twice on
7 that day?
8 A. I believe I did, actually.
9 Q. Okay. When was the second telephone
10 call?
11 A. I don't know.
12 Q. Do you know who you spoke to the second
13 time?
14 A. I remember one time speaking with
15 Christy, and one time speaking with Andy.
16 Q. And who is Christy?
17 A. Christy was the Administrative
18 Assistant.
19 Q. For whom?
20 A. Andy Machin.
21 Q. And do you remember whether you spoke
22 to her before or after you spoke with Andy?
23 A. I don't remember. Typically, Christy
24 answers the phone.
25 Q. Well, I understand that, but you said

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1 that there were two conversations, so --
2 A. Um-hmm (nodding head).
3 Q. Let's just do this:
4 You didn't have equipment to strain
5 urine, I gather?
6 A. Correct.
7 Q. And the purpose of getting the
8 equipment to strain the urine would be for what?
9 A. To look for kidney stones.
10 Q. Okay. And was there an order to strain
11 the urine, or was that something that you were
12 doing either as part of standing protocol or
13 standing orders?
14 A. I don't recall. If there's a
15 Physician's Order to do that, it could have been
16 a verbal order from Karen where Karen told me to
17 do that on the phone or -- I don't recall.
18 Q. Well, to be fair, if you go back and
19 look at the verbal orders that you received from
20 Karen on the 29th, which you wrote, you didn't
21 write anything about straining the urine;
22 correct?
23 A. No.
24 Q. Had she given you a verbal order to do
25 that, would you have written it down?

001010

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1 A. That's correct.

2 Q. Okay. Is it fair to say, then, that

3 the next time you saw Dr. Noak would have been

4 when he was actually in the Exam Room with

5 Inmate Hernandez?

6 A. Correct.

7 Q. Where did you go, if you remember, from

8 when you first saw him in the Exam Room until you

9 came back in the Exam Room?

10 A. Well, at about that time of evening

11 there's a lot of things going on, so I assume

12 that I was doing pill call or pill cart exchange.

13 I was the only person on shift, as far as a CMS

14 or a nurse.

15 Q. I guess as a side note -- when you do

16 pill call at that facility, it's done on the

17 facility; correct?

18 A. Correct.

19 Q. And where is pill call done?

20 A. At the -- it's done differently now

21 than it was then.

22 Q. Fair enough?

23 A. At that time, we were at the doorway to

24 the medical office.

25 Q. Which, as we've talked about, is

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1 different than the Medical Room?

2 A. Than the Exam Room, yes.

3 Q. So do you remember why you came back

4 into the Exam Room?

5 A. No.

6 Q. When you came back into the Exam Room,

7 do you have any independent recall as to what

8 happened next or do you need to rely on the

9 Interview Summary, your statement, and the tape

10 recording?

11 A. For the most part, I do remember the

12 incident.

13 Q. Okay. All right. Let's talk about

14 what you remember happening when you walked back

15 into the room.

16 Was Karen Barrett there?

17 A. Yes.

18 Q. And Dr. Noak was there?

19 A. Yes.

20 Q. And Inmate Hernandez was there?

21 A. Yes.

22 Q. Where was Dr. Noak?

23 A. Dr. Noak was sitting at the desk on the

24 front side of the room. I'll make a little

25 diagram here (indicating objects on table).

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1 Basically, here is the desk, and here

2 is the doorway to the Exam Room. The desk faces

3 this wall. So his back was facing out.

4 The table sits here -- the exam table

5 sits here (indicating).

6 I don't recall where Karen was, whether

7 she was exiting as I was entering. That, I don't

8 recall.

9 Dr. Noak was sitting here. He had

10 charts and another couple -- one or two medical

11 text references, some sort of books.

12 Norma was sitting on the bed, on the

13 end of the exam table.

14 Q. Okay. And so when you walk in,

15 based on your -- we're going to have to verbalize

16 a little bit what your diagram just was.

17 When you walk in, he is sitting at a

18 desk and his back would be to you as you walk

19 into the Examination Room?

20 A. No. His side is to me. He is facing

21 south if we talk direction here. Okay?

22 Dr. Noak's back would be north, and

23 I am east.

24 Q. So his right side would be to you?

25 A. No.

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1 Q. His left side?

2 A. His left side.

3 Q. So the Exam Room -- or the examination

4 table would be to his back?

5 A. And off to the side.

6 Q. Okay. Fair enough.

7 Do you have a sense at all as to how

8 long he had been in the room with Inmate

9 Hernandez and PA Barrett before you arrived?

10 A. No. Based on the audio and the

11 statement, it could have been as long as

12 15 minutes.

13 Q. Why do you say that, "based on the

14 audio and the statement"?

15 A. Time frames with regard to what was

16 occurring prior to me seeing Dr. Noak in the

17 room.

18 I spoke to Karen and told her he was

19 here, and then I went and finished up what I was

20 doing.

21 Q. Okay. And so from that, I'm -- there's

22 a period of time that has to elapse for somebody

23 to contact Inmate Hernandez, get her to the Exam

24 Room, and then for an exam to take place; correct?

25 A. Um-hmm (nodding head). 001011

<p style="text-align: right;">66</p> <p>1 Q. Is that right?</p> <p>2 A. Yes, that's correct.</p> <p>3 Q. Okay. I think I understand.</p> <p>4 In any event, you did not personally</p> <p>5 witness his examination of Inmate Hernandez;</p> <p>6 correct?</p> <p>7 A. Correct.</p> <p>8 Q. And at the time that you walked in, did</p> <p>9 you know one way or the other whether he had</p> <p>10 examined Inmate Hernandez at that point?</p> <p>11 A. No.</p> <p>12 Q. Did you make any assumptions one way</p> <p>13 or another?</p> <p>14 A. No.</p> <p>15 Q. The first observation, if you can</p> <p>16 recall, that you make when you walk into the room</p> <p>17 of Inmate Hernandez is what?</p> <p>18 A. She was unsteady. She was sitting --</p> <p>19 she's short -- she isn't a real tall gal. She</p> <p>20 was sitting on the edge of the exam table, and</p> <p>21 her feet don't touch.</p> <p>22 So she's sitting on this narrow exam</p> <p>23 table, and she's swaying. That's the way I would</p> <p>24 describe it.</p> <p>25 Q. Okay. Anything else that you can</p>	<p style="text-align: right;">68</p> <p>1 Q. Is that a "Yes"?</p> <p>2 A. Yes.</p> <p>3 Q. At some point you ask her if she's</p> <p>4 dizzy. Is that consistent with your recollection?</p> <p>5 A. Yes.</p> <p>6 Q. What was her response?</p> <p>7 A. It was in the affirmative. I can't</p> <p>8 tell you at this point in time whether it was a</p> <p>9 direct verbalization of "Yes," but it was an</p> <p>10 affirmative. I just don't recall my words --</p> <p>11 or her words.</p> <p>12 Q. Okay. One of the things that you also</p> <p>13 note in this statement is that she had been ill</p> <p>14 for the past two days and had been in the</p> <p>15 emergency room the night before.</p> <p>16 A. Correct.</p> <p>17 Q. Do you recall, as you sit here today,</p> <p>18 when the first time that you saw Inmate Hernandez</p> <p>19 would have been?</p> <p>20 A. I don't recall.</p> <p>21 Q. If you had seen her for some medical</p> <p>22 reason, it should be in the medical chart;</p> <p>23 correct?</p> <p>24 A. Yes.</p> <p>25 Q. You indicate that you started to tell</p>
<p style="text-align: right;">67</p> <p>1 recall about your observation of her at that</p> <p>2 point?</p> <p>3 A. Not at that point.</p> <p>4 Q. Your statement, Exhibit I, indicates</p> <p>5 that you "-- noted that Hernandez was swaying as</p> <p>6 she sat at the end of the exam table, and I asked</p> <p>7 her if she was dizzy"?</p> <p>8 A. Um-hmm (nodding head).</p> <p>9 Q. Is that the first thing that you did</p> <p>10 when you walked into the room after your</p> <p>11 observations of her?</p> <p>12 A. Well, I didn't actually enter the room</p> <p>13 fully. I was sort of standing at the doorway.</p> <p>14 It's a very small room, so I -- me</p> <p>15 being right here, is going to be like from me to</p> <p>16 the Court Reporter, you know, but in a more</p> <p>17 direct line is where she was. So I was more just</p> <p>18 standing here and then (gesturing).</p> <p>19 Q. Okay. So again we're going to have to</p> <p>20 kind of clarify that.</p> <p>21 So if you are standing basically at the</p> <p>22 entrance of the Exam Room, are you indicating at</p> <p>23 that point you're maybe four to five feet away</p> <p>24 from where Ms. Hernandez was?</p> <p>25 A. Um-hmm (nodding head).</p>	<p style="text-align: right;">69</p> <p>1 Ms. Hernandez to lie down?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. I'm referring back to your</p> <p>4 statement, Exhibit I.</p> <p>5 Were you standing in the same position</p> <p>6 that you described earlier when you made that</p> <p>7 comment to her?</p> <p>8 A. When I made that comment to her?</p> <p>9 Q. When you -- well, strike that. That's</p> <p>10 a good point. Strike that.</p> <p>11 When you started to tell her to lie</p> <p>12 down, were you standing basically at the</p> <p>13 entrance of the room?</p> <p>14 A. No.</p> <p>15 Q. Where were you at?</p> <p>16 A. I had moved toward her.</p> <p>17 Q. And when you started to tell her to lie</p> <p>18 down is when your statement says that, "Dr. Noak</p> <p>19 turned and said, 'lay down then'"; is that</p> <p>20 correct?</p> <p>21 A. I moved toward her and put my hand on</p> <p>22 her back to help her to a laying position.</p> <p>23 At that point in time, I'm verbalizing --</p> <p>24 I can't tell you exactly -- you know, there was</p> <p>25 probably comfort, words of comfort or whatever in</p>

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1 there. I said, "We're just going to lie down."
2 He turned around -- I don't know if he
3 turned around. The next thing Dr. Noak said was,
4 "Just lay down."

5 Q. Okay. Then you indicate that for the
6 next five minutes you conversed with the patient
7 and helped her get into a position of comfort?

8 A. (Nodding head).

9 Q. In your statement you write that --
10 or in your incident you write that. Do you see
11 that?

12 A. Yes.

13 Q. And in terms of conversing with the
14 patient, do you remember what you were saying?

15 A. No, I don't.

16 Q. And in terms of helping her get into a
17 position of comfort, do you remember what you
18 were doing?

19 A. Not directly. My normal behavior --
20 in that situation, my normal -- what I would
21 normally do is there would be two positions that
22 I would try for an individual like that: one
23 would be with laying straight on their back with
24 their feet up if I thought they were a low volume
25 or had a blood pressure problem; the other one is

1 a left lateral recumbent position, which is a
2 recovery position, which is helpful for many
3 people that are having difficulty with dizziness,
4 feeling ill.

5 I believe probably with her -- it seems --
6 well, I won't say that because it's just not
7 something I recall.

8 Q. And during that period of time, do you
9 recall whether you tried one position or both
10 that you just referenced.

11 A. I don't.

12 Q. Did you stay by her in the Exam Room
13 during that entire period of time?

14 A. Yes.

15 Q. Then you write, "Shortly thereafter,
16 Dr. Noak said, 'Go back to your room.'" Do you
17 see that?

18 A. Yes.

19 Q. And when you say, "Shortly thereafter,"
20 you know, it's probably an awful question, given
21 the time period that's passed, but how long after
22 this initial five minutes did Dr. Noak make this
23 statement, "Go back to your room"?

24 A. It was within, I would say, five minutes.

25 Q. Within that five-minute period or

1 five minutes again?

2 A. No. It was within probably the first
3 five minutes.

4 Q. Do you recall asking if Norma wanted to
5 go -- Inmate Hernandez wanted to go back to her
6 room?

7 A. No.

8 Q. Do you recall her asking you if she
9 could go back to her room?

10 A. I don't recall that.

11 Q. Is it your impression that it was just
12 Dr. Noak saying, "Go back to your room"; that it
13 was his instruction to take her back to the room?

14 A. Oh, yes. It was out of the clear blue.
15 That was the only thing he said.

16 Q. Other than, "Lay down, then," or
17 something that to that effect?

18 A. Correct.

19 Q. So those are the only two things that
20 you remember him saying?

21 A. Um-hmm (nodding head).

22 Q. Is that right?

23 A. That's correct.

24 Q. So after he indicated that she should
25 go back to her room, if I'm reading your

1 statement correctly, you helped her get into a
2 sitting position?

3 A. Yes.

4 Q. Okay. And then she became dizzy again?

5 A. Yes.

6 Q. Okay. Again, probably a tough question,
7 but is she dizzy again or was she dizzy the
8 entire time?

9 A. I guess I can't answer that.

10 Q. So you told her to sit for a couple of
11 minutes until her dizziness passed?

12 A. Um-hmm (nodding head).

13 Q. Is that a "Yes"?

14 A. Yes. Sorry.

15 Q. And, as you sit here now, did that
16 happen? Did she sit on the table for a while
17 until her dizziness passed?

18 A. Yes.

19 Q. And the next thing -- Ms. Nicholson,
20 let's do this because I know it's hard, given the
21 amount of time that's passed.

22 As we go through Exhibit 1, I'm going
23 to kind of follow along with the Incident Report,
24 and then I'm going to ask you, you know, "Are
25 there other things that you remember occurring?"

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1 A. Okay.

2 Q. Okay?

3 A. Okay.

4 Q. But I'm going to use this as kind of

5 our guide. Okay?

6 A. Okay.

7 Q. So you indicate that once she was able

8 to stand up, she was noticeably pale and shaking;

9 correct?

10 A. Correct.

11 Q. And then she stated that she felt like

12 she was going to pass out; is that correct?

13 A. Correct.

14 Q. Okay. And so after -- again after a

15 period of time, she was able to get off the table

16 and into a standing position; is that correct?

17 A. Ask me that one more time.

18 Q. Sure. After she had verbalized that

19 she was dizzy and you had her sit there for a

20 while, a few minutes or whatever it may be, she

21 was able to get off the table into a standing

22 position; is that correct?

23 A. Correct.

24 Q. Do you remember whether she was

25 assisted off the table by you, did she slide down

75

1 to her feet, did she step off? Do you recall at

2 all how that happened?

3 A. No. I assisted her.

4 Q. Off the exam table?

5 A. Yes, with probably light touch. That's

6 standard when somebody is dizzy like that --

7 you're going to go ahead and have your hands on

8 them just in case she starts to go down. It's

9 protective.

10 Q. And you said she was noticeably pale

11 and shaking?

12 A. Yes.

13 Q. And pale being her face, her facial

14 expression, or just how her face looked?

15 A. Probably just in general.

16 Q. Okay. And where was she shaking?

17 A. Her whole body.

18 Q. And she verbalized to you, "I'm going

19 to pass out"? Did she use the words "pass out,"

20 or do you recall?

21 A. I don't recall.

22 Q. But she verbalized something --

23 A. Yes.

24 Q. -- that made you think that she might

25 pass out?

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1 A. Yes.

2 Q. Okay. Then you note that she had

3 actually passed out the night before; correct?

4 A. Yes.

5 Q. And when you use "episode of synco,"

6 that's what you mean is she had passed out or

7 fainted?

8 A. Correct.

9 Q. Okay. You then write that you

10 "-- helped her to a position close to the wall,"

11 and help me understand what you -- where did you

12 help her?

13 A. Okay. This is, like I said, a

14 generalized statement. So, basically, I've got

15 to fill in a little bit of space here because

16 I could have made this four pages.

17 Once we moved off of -- got her around

18 off of the table, we were walking toward the

19 doorway. She just continued to decline, and her

20 condition worsened rapidly.

21 So now her skin was beginning to feel

22 moist -- she was following a normal pattern for

23 someone in her condition, and she was showing

24 signs that she was going to go down -- that she

25 was going to pass out, faint, have a syncopal

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1 episode.

2 So by the time we get to the doorway,

3 I know we're getting to a point where she needs

4 to get down safely.

5 When I do things like this, I think

6 about myself and I think about the patient. So

7 if you're standing up with someone who passes

8 out, falls down, you're going to obviously take

9 on their body weight, dead weight.

10 So my natural thing is to assist them

11 to the wall so that their back is toward the

12 wall, I support them in a forward position so

13 that they're against the wall, and they slide

14 down the wall to a sitting position because then

15 you have their back stable and they aren't going

16 to fall back and crack their head open. That's

17 the main purpose for putting them up against a

18 wall or something, you know, more stable. It's

19 to protect them.

20 Q. Okay. So if I'm following you

21 correctly, you are starting to move out of the

22 Exam Room with Ms. Hernandez?

23 A. Correct.

24 Q. Okay. And you have identified that she

25 was pale, and shaking, indicated that she felt

78

1 dizzy; and as you're moving out of the Exam Room
 2 she's actually getting worse?
 3 A. Correct.
 4 Q. Okay. And let me ask you this:
 5 First of all, was she required to be
 6 escorted back to her room?
 7 A. No.
 8 Q. Okay. So she could have gone by
 9 herself?
 10 A. Correct.
 11 Q. And I'm assuming that it was your
 12 judgment that she needed to be assisted back to
 13 her room, rather than just go by herself?
 14 A. I don't know -- I guess that thought
 15 never crossed my mind. It was just sort of --
 16 I was reacting to what I was seeing.
 17 Q. Well, was your intent --
 18 A. So I never --
 19 Q. I'm sorry to interrupt. Go ahead.
 20 A. No, that's okay.
 21 Q. Was it your intent to escort her back
 22 to her room?
 23 A. I can't tell you. I never got to that
 24 point because I had to assist her immediately.
 25 Q. Okay. So when you are exiting the

79

1 Exam Room, if I understand the timing correctly,
 2 you are already thinking, "I need to get her to
 3 the wall to assist her down into a sitting
 4 position"; is that correct?
 5 A. Correct.
 6 Q. And as you exit the Exam Room, do you
 7 move to the right or to the left?
 8 A. We were coming out of the Exam Room.
 9 We were facing east.
 10 Q. And east would be as you come out of
 11 the Exam Room straight ahead or to the right or
 12 to the left?
 13 A. Into the hall. The hall is out here.
 14 We're going to go ahead, and we're going to go
 15 left down the wall, which would be north.
 16 So she is on the inside, the north side
 17 already. So we're coming around right here to
 18 the door jamb, you know, coming through the door
 19 jamb here (indicating).
 20 I immediately just turned her back
 21 toward the wall. Right outside the door on the
 22 north, that's where we went to slide down the
 23 wall.
 24 Q. And did at any point in time her body
 25 actually touch the wall before -- let's say

80

1 before Dr. Noak came?
 2 A. I don't recall.
 3 Q. Okay. You indicated that what you were
 4 going to do was to get her to the point where her
 5 back was to the wall; correct?
 6 A. Correct.
 7 Q. And did you get to that point where,
 8 whether she was touching the wall or not, her
 9 back was facing the wall?
 10 A. I don't recall.
 11 Q. Okay. Do you recall whether you had
 12 gotten to the point where, as you indicated
 13 earlier, you were in front of her so that you
 14 could assist her if she passed out or fainted?
 15 A. I don't recall that, either.
 16 Q. Okay. Do you recall where your body
 17 was in relationship to hers at any point in time
 18 after you had gotten out of the Exam Room?
 19 A. I know we were in the process of
 20 turning her toward the wall.
 21 I was still actually in the doorway,
 22 obviously. I was, you know, at some level at the
 23 entrance. We weren't that far from the door jamb.
 24 I can't tell you whether I was, you
 25 know, straight on yet or whether we were still at

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1 an angle because we were kind of turning as a
 2 unit, but I can't tell you where in that, you
 3 know, movement we were.
 4 Q. Okay. But at least a turning movement
 5 had started?
 6 A. Yes.
 7 Q. And as you are coming out of the door --
 8 again, I'm understanding correctly -- you have
 9 already made the determination as you're walking
 10 out of the Exam Room that she may faint?
 11 A. Correct.
 12 Q. And so you are actually in the process
 13 of turning her to get her to the wall; correct?
 14 A. Correct.
 15 Q. And so how far out in the hallway did
 16 you actually get before you started that turning
 17 process?
 18 A. We didn't get out into the hallway very
 19 far at all; there was no need to.
 20 Q. So really you just turned the corner,
 21 and the wall was there; correct?
 22 A. Correct. The main purpose of that was
 23 I knew at this point -- there is like no stable
 24 area here, there's no wall, you know, and the
 25 door is on this side. So I just knew that I had

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1 to get her from here to here safely (indicating).
 2 Q. From the time that you started to walk
 3 and leave the Exam Room from the exam table until
 4 you made the turn to get her against the wall,
 5 how long did that take?
 6 A. I can't -- I don't know.
 7 Q. If I'm understanding correctly, when
 8 you -- I mean, you're four or five feet from the
 9 exam table to the entrance door, so you don't
 10 have very far to travel; is that correct?
 11 A. Um-hmm (nodding head).
 12 Q. Is that a "Yes"?
 13 A. Yes, that's correct.
 14 Q. And you don't get very far into the
 15 hallway where you're making the turn; correct?
 16 A. Correct.
 17 Q. Is it fair to say what you did is you
 18 basically cleared the door jamb before you
 19 started the turn?
 20 A. I don't know. I could have had her
 21 supported on the door jamb as we turned.
 22 Q. Okay.
 23 A. The longest period of time was when we
 24 got her to the sitting position and then to the
 25 standing position. I had to give her time at

83

1 that point to recover a little bit, to make sure
 2 she was even going to be able to walk or to even
 3 stand to start.
 4 Q. How did you make the determination that
 5 she was able to walk?
 6 A. To my recollection, I asked her if she
 7 felt that she was able to do that.
 8 Q. And, obviously, if she started to walk
 9 with you, she must have communicated that yes,
 10 she was able to do that. Is that fair?
 11 A. Yes, that's fair.
 12 Q. Do you recall at any point in time from
 13 the -- well, strike that.
 14 Do you recall giving any consideration,
 15 prior to asking her if she could walk, whether
 16 she should be in a wheelchair?
 17 A. I don't recall.
 18 Q. Do you recall whether there was a
 19 wheelchair there?
 20 A. I don't.
 21 Q. Do you know or recall whether she was
 22 brought down to the Exam Room in a wheelchair?
 23 A. I don't.
 24 Q. What you write is, as you were
 25 "-- trying to assist the patient to slide down

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1 the wall to a sitting position, Karen Barrett
 2 came out of her office and was starting toward us
 3 to assist." Do you see that?
 4 A. Yes.
 5 Q. Okay. Let me ask this:
 6 When you got into the hallway or out
 7 past the door jamb and were making the turn, do
 8 you recall noticing one way or the other whether
 9 Karen Barrett was there already?
 10 A. No. I do remember seeing Karen coming
 11 toward us.
 12 Q. Okay. And you write that she was
 13 coming towards you to assist. How do you know
 14 that?
 15 A. I remember seeing Karen come out,
 16 seeing what was going on, and immediately
 17 recognizing and trying to come toward us.
 18 She could see -- it was very apparent
 19 that she wasn't doing well, you know, the patient
 20 wasn't.
 21 Q. And did Karen Barrett verbalize
 22 something to you?
 23 A. I don't recall.
 24 Q. How close did she get to you, "she"
 25 being Karen Barrett?

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1 A. I don't recall today.
 2 Q. To your recollection, did she ever get
 3 to the point where she had her hands on Inmate
 4 Hernandez?
 5 A. I don't know. I honestly don't --
 6 I don't recall seeing that.
 7 Q. Okay. Do you have a recollection as to
 8 whether -- and again I'm going to use the time
 9 frame when Dr. Noak comes out -- do you have a
 10 recollection as to where Karen Barrett was in
 11 relation to you and Inmate Hernandez at that
 12 point?
 13 A. She was still coming toward us, I
 14 believe.
 15 Q. Okay. As she was coming towards you,
 16 was she coming -- let's do this it this way:
 17 She comes out of her office, which if
 18 we're looking down the hallway and if you're
 19 slightly turned towards the wall, she is going to
 20 be off to your right a little bit, off to your
 21 side?
 22 A. Yes. She would have been here -- she
 23 would have been south -- or I mean north of us.
 24 Q. But to your right side?
 25 A. Yes, or at the angle -- I just remember

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1 seeing Karen.

2 Q. Fair enough. But if you split the

3 hallway down the middle -- okay?

4 A. Um-hmm (nodding head).

5 Q. Okay?

6 A. Okay.

7 Q. And as you're looking down the hallway,

8 is she going to be in the middle or is she going

9 to be closer to the wall where you were trying to

10 assist Inmate Hernandez?

11 A. She is going to be closer to the wall,

12 to the west wall.

13 Q. Okay. Then in the statement it indicates

14 that you hear -- well, you write, "When Dr. Noak

15 slammed a book or something in the Exam Room"?

16 A. Um-hmm (nodding head). Yes.

17 Q. Could you, at the point where you were,

18 still see into the Exam Room?

19 A. Oh, yes. If I looked, I could have

20 seen, yes. I think so. Actually, I probably

21 ought not to commit to that because I don't know

22 for sure.

23 Q. Okay. Did you see Dr. Noak do anything

24 in the Exam Room while you were in this position

25 just outside of it?

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1 A. No.

2 Q. Did you hear anything?

3 A. Yes.

4 Q. And what did you hear?

5 A. I heard a bang, what was very consistent

6 with a book being slammed on a desk, a large

7 book.

8 Q. Okay. And the next thing -- at least

9 what you write is that, "Dr. Noak walked out to

10 the doorway, aggressively inserted himself between

11 myself and the patient, pushing me aside"; correct?

12 A. Correct.

13 Q. Okay. And then you write, "He proceeded

14 to grab Inmate Hernandez under her left arm/arpit

15 and basically forced her to walk physically down

16 the hall with him"; is that correct?

17 A. No.

18 Q. Okay.

19 A. That's basically a good overview,

20 except for there is a typo in the there.

21 Q. What is the typo?

22 A. The "left" arm. It should have been

23 the "right."

24 Q. Okay. Is that --

25 A. I believe -- the more I thought about

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1 it, I do remember recognizing that after I faxed

2 this over. I don't know if I sent another one

3 with that errored out or whether I reprinted it,

4 erred it out with a line and initialed it, but I

5 did recognize that it was not her left arm, it

6 was her right arm.

7 Q. Okay. So somewhere there should be a

8 document that has a --

9 A. I'm saying I don't know if I did that

10 or not.

11 Q. Well, the first thing that you write --

12 in the first Incident Report that you write and

13 you signed indicates that "Dr. Noak grabbed her

14 under her left arm and armpit"; correct?

15 A. Correct.

16 Q. That's not a typo, is it; that's just

17 wrong --

18 A. No. It was a typo. It was me not

19 putting down -- and I've done that on charts,

20 too, and when I proof them I see that I wrote

21 "right" rather than "left." I start an IV on the

22 left, and I wrote "right." So that would have

23 been a matter of an error when I was proofing it.

24 Q. Okay. Any other errors that you

25 noticed on this Incident Report when you reviewed

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1 it recently?

2 A. Well, again, this is a generalized

3 overview, but I'm not seeing anything that jumps

4 out at me.

5 Q. Okay. So when you write that, "-- he

6 aggressively inserted himself between me and the

7 patient," when you -- as I understand it, when

8 you're out into the -- you're basically just

9 outside the doorway of the Medical Room either

10 very close or on the wall, and you would have

11 your left arm on the patient?

12 A. I would have probably had both of my

13 hands on her.

14 Q. Okay. And you would have been slightly

15 turned; is that correct?

16 A. Yes.

17 Q. And when you say you would have had

18 both -- I should say "arm" -- do you recall

19 whether you had one or two hands on Ms. Hernandez?

20 A. I really don't know.

21 Q. Do you recall where your hands were

22 on her?

23 A. No.

24 Q. Do you recall how -- can you describe

25 today what your grip was like on her?

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1 A. No.

2 Q. And again, I'm sorry if I may have just

3 asked this, but you don't recall where on her

4 body your hands were?

5 A. I don't specifically.

6 Q. And then Dr. Noak inserted himself, you

7 were pushed aside, and then he took her down the

8 hallway; correct? He grabbed her under, I gather,

9 the right arm/armpit and took her down the

10 hallway?

11 A. Everything happened really fast.

12 Q. Okay. That's where I'm going.

13 So from the time that he came in and

14 inserted him into the situation -- inserted

15 himself into the situation and then had

16 Ms. Hernandez and was walking down the hallway,

17 how much time had passed?

18 A. Oh, I don't recall specifically, but I

19 would say 15 seconds, 15 to 30 seconds.

20 Q. Okay.

21 A. Maybe not even that long.

22 Q. And we can take a minute, I mean, and

23 count off 15 seconds because I'll suggest that's

24 a pretty long time.

25 A. Yes, it is, actually.

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1 Q. If you think about it, I mean, how fast

2 or how quickly did this occur?

3 A. As long as it took for him to get up

4 and get to us, so I guess my estimation would be,

5 like I said anywhere -- I could say 7 to

6 15 seconds.

7 Q. Okay. Is it a fair characterization

8 that from the time that he came out of the

9 office -- and I'm not talking about how long that

10 took -- I'm really talking about from the time

11 that he inserted himself and you were pushed

12 aside and he's walking down the hall, how long

13 did that take?

14 A. Oh, Lord. I don't know how long that

15 took.

16 Q. I'm not talking about all the way down

17 the hall. I'm just saying you're going, "What

18 just happened?" and he's walking, is it seconds?

19 A. I would guess, yes. I really don't

20 have any concept of that time frame.

21 Q. Okay. And if I understand, not only

22 from your Interview Summary but also your

23 Incident Report, your reaction to that was really

24 one of total surprise?

25 A. Um-hmm (nodding head).

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1 Q. Correct?

2 A. It took me a minute to figure out what

3 just happened.

4 Q. Okay. And is that, in part, because it

5 all happened so quickly, aside from --

6 A. No, no.

7 Q. So the fact that it happened quickly

8 had nothing to do with your being surprised as to

9 what just happened?

10 A. I would say it took me a minute to get

11 my bearings -- it took a second to get my bearings

12 because it was so shocking. I was dumbfounded.

13 Q. Right, but my point is -- I understand

14 what you have to say about what had happened --

15 A. Okay.

16 Q. -- and why it was shocking to you.

17 A. Okay.

18 Q. What role, if any, did the quickness of

19 which it happened play into that?

20 A. I guess I just don't understand what

21 you're asking me.

22 Q. Well, it's a situation where you are

23 assisting Inmate Hernandez for what I gather you

24 believe is because of her medical condition?

25 A. Yes.

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1 Q. You're in a position where you're

2 assisting her because you think she's going to

3 faint; correct?

4 A. Correct.

5 Q. And then the next thing you know,

6 you're not assisting her anymore, and she's being

7 walked down the hall by the doctor; correct?

8 A. Um-hmm (nodding head).

9 Q. Is that correct?

10 A. That's not the way I would word it, but

11 that is, for all intents and purposes, I guess, a

12 way to describe it.

13 Q. Right. And I understand that event was

14 shocking to you --

15 A. Yes.

16 Q. -- but what I'm also trying to understand

17 is whether or not that event happened very

18 quickly?

19 A. Yes, it happened quickly.

20 Q. Okay. When you write, "Basically forced

21 her to walk briskly down the hall with him,"

22 that's based on your observation of them walking

23 down the hall; correct?

24 A. Yes.

25 Q. Okay. If you can recall, how long did

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1 you continue to watch them as they went down the
2 hall?

3 A. Time frame, I don't know how long it
4 took. I watched them clear down to her room.

5 Q. Okay. Is that the point then you
6 turned around and looked at the Control tower or
7 the Control Room?

8 A. In that vicinity, yes, in that time
9 frame.

10 Q. Okay. When you write, "-- walked
11 briskly down the hall," was there any point in
12 time, as they were walking down the hall while
13 you were observing them, that your characterization
14 of how they were walking would change? In other
15 words, you used the word "brisk." Were they
16 walking briskly the entire time you watched them?

17 A. Yes.

18 Q. Did they ever stop?

19 A. Not that I recall.

20 Q. Do you remember, from the time that
21 Dr. Noak inserted himself until the time that you
22 turned around and looked back to the Control Room,
23 hearing anybody say anything?

24 A. No.

25 Q. Did you ever see Dr. Noak talking to

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1 Inmate Hernandez?

2 A. I saw Dr. Noak -- I heard sounds,
3 tones. I did not hear words, specific words.

4 Q. Did you ever see or hear Inmate
5 Hernandez -- well, strike that.

6 The sounds or tones that you heard,
7 were they coming from Dr. Noak or Inmate Hernandez?

8 A. Dr. Noak. He was looking toward --
9 down kind of toward her. He had gritted teeth,
10 and he was -- that's what I remember (gesturing).

11 Q. Okay. And at any point in time did
12 Inmate Hernandez talk back to Dr. Noak?

13 A. I don't know. I didn't --

14 Q. Not that you observed?

15 A. No, and I didn't hear anything.

16 Q. Did you hear Karen Barrett say anything?

17 A. Not that I recall.

18 Q. Do you recall -- in your statement, you
19 wrote that "He proceeded to grab Inmate Hernandez
20 under her left arm/armpit," and you've indicated
21 that's a typo, so it must be that he grabbed her
22 on the right side; is that correct?

23 A. That's correct.

24 Q. And where, do you recall that?

25 A. I don't exactly -- I can't tell you

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1 exactly where his hands were or whatever --
2 how the process happened.

3 By the time I saw Dr. Noak, he had
4 pulled her arm up over his, and she was basically
5 kind of like -- leaning in on his body is what I
6 recall.

7 Q. Okay. I'm sorry -- I may have missed
8 it, but you said he pulled her arm over his --

9 A. He pulled her -- and I know how it
10 looked, and I can still picture that, and to me
11 it looked as though an arm -- like he was under
12 her arm, her armpit area, and had her hung --
13 you know, pull up because he's quite a bit taller
14 than her, like quite a bit. So she was up kind
15 of like this and over (gesturing).

16 Q. In your interview -- in the Interview
17 Summary -- and we're going to get to that in more
18 detail later, but it's represented that you said
19 that he grabbed Ms. Hernandez' arm and pulled it
20 up over his?

21 A. Yes. See, that would be accurate
22 because that's what I remember seeing, is -- and
23 I don't know how it occurred, but it was like up
24 and over, like she was hanging kind of on his arm
25 (gesturing).

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1 Q. So her right arm is touching some part
2 of his left arm?

3 A. I would guess, yes.

4 Q. Okay. And where is his left hand?

5 A. I don't know. I was behind them.

6 Q. In your Incident Report, Exhibit No. 1,
7 as we continue down you write, "He did not assess
8 her condition or ask any questions." Do you see
9 that?

10 A. Um-hmm (nodding head).

11 Q. That's a "Yes"?

12 A. Yes.

13 Q. At what point are you referring to? Is
14 this in the Exam Room? Is this during the escort
15 down the hall? At what point in time are you
16 referring to?

17 A. Let me re-read this real quick just to
18 see what I -- basically, what I think I mean by
19 this is the context was that at the time that
20 this was all occurring, he did not assess her
21 condition -- like "Is she truly syncopal?" or
22 "Is she going to faint?" -- and I'm talking at
23 this moment in time, when I'm trying to escort
24 her and get her to the wall.

25 Q. Okay.

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<p style="text-align: right;">98</p> <p>1 A. Because he should have at that point, 2 in my opinion, as a physician check a pulse, 3 check her blood pressure or something -- or look 4 at her skin to see if she was in a situation 5 where she could faint or whatever word we're 6 using. 7 Q. All right. If we continue down, I 8 think it's the 1, 2 -- it would be starting with 9 "When Dr. Noak and the patient --" do you see 10 that? 11 A. Yes. 12 Q. "When Dr. Noak and the patient were 13 almost at her doorway at the end of the tier, 14 I turned around." 15 A. Yes. 16 Q. I'm going to stop there. 17 A. Okay. 18 Q. From that, I gather, you did not see 19 either Dr. Noak or Inmate Hernandez enter her 20 room? 21 A. I don't recall. 22 Q. Well, is it fair for me to conclude 23 from this that your back would have been turned 24 to them before they went into the room? 25 A. I don't know. This is very general,</p>	<p style="text-align: right;">100</p> <p>1 saying that? 2 A. Yes. 3 Q. Do you remember saying anything else? 4 A. No. 5 Q. Okay. Then you write, "I went into the 6 medical office and shut the door for a short 7 time." Do you see that? 8 A. Yes. 9 Q. So if I'm understanding correctly, you 10 turned around, looked at the Control Room, 11 verbalized, "I quit," and then did you immediately 12 walk into the medical office and shut the door? 13 A. I believe so. 14 Q. Okay. And when you say, "a short time," 15 how long did you stay in the medical office? 16 A. I don't know. 17 Q. What's the next thing -- did anybody 18 come to see you while you were in the medical 19 office? 20 A. Karen did. 21 Q. Okay. And how long, if you can recall, 22 had you been in the medical office before she 23 came? 24 A. I don't recall. 25 Q. Did you have a conversation with her?</p>
<p style="text-align: right;">99</p> <p>1 and I don't know -- I have a different -- and I 2 don't know where this came from, but my memory -- 3 I have the memory of him -- what I'm trying to 4 say is I don't know if it was a visual memory or 5 whether this was information I received. So it's 6 not going to be legitimate information, but the 7 doorknob -- for some reason I -- the doorknob was 8 turned, and he used his foot to kick the door 9 open. I cannot recall to this day whether I 10 actually saw that or whether I heard that -- and 11 I don't know if I addressed it in my statement 12 or not. 13 Q. At least in the Incident Report, it 14 would appear that before they entered the room 15 you turned around and looked at Correctional 16 Officers Nees and Jackson. Is that fair? 17 A. From this generalized report, yes, that 18 is fair. 19 Q. Okay. And you don't recall whether you 20 verbalized anything at that point, when you turned 21 around and looked back to the Control Room? 22 A. I do now. I recall what I said. 23 Q. Okay. What do you recall? 24 A. I recall telling them, "I quit." 25 Q. Okay. So today you do have a memory of</p>	<p style="text-align: right;">101</p> <p>1 A. Yes, I did. 2 Q. And how long did that last? 3 A. Oh, not very long. I mean, it was 4 brief, but I can't give you a time frame. It was 5 a couple of minutes. 6 Q. Do you recall what you and Ms. Barrett 7 talked about? 8 A. Not specifically, no. 9 Q. Okay. Can you tell me, if I asked you 10 specifically what you said or specifically what 11 she said, could you tell me? 12 A. No. I could give you a general idea. 13 Q. Give me a general idea. 14 A. I was tearful, I do remember that. 15 I was just done. I was tired of it all, and I -- 16 I believe I was tearful because -- I was tearful 17 before Karen got in there, so I had enough time 18 to get tears in my eyes because I know I wasn't 19 tearful in the hallway. 20 I went in, shut the door, and I had 21 enough time to become tearful. Then Karen came 22 in, and I just -- I do remember saying, "I won't 23 do this anymore. I won't be involved in situations 24 like this." 25 I'm pretty sure I told her I was</p>

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1 I would have signed out, and then I would have
 2 had a time card or a time sheet that I filled out.
 3 Q. Okay. After Ms. Barrett, who is the
 4 next person that you talked to, if you can
 5 recall?
 6 A. I don't. I know I did speak to the
 7 officers, but I don't recall at what point in the
 8 evening it was because we would have had
 9 interaction, you know, off and on before I left
 10 probably. I can't -- I honestly don't know
 11 whether I spoke to the officers.
 12 I remember when I found the door open,
 13 I notified Security about that because that's a
 14 huge issue. We have got things that can be used
 15 as weapons, we've got scalpels, we've got -- you
 16 name it, it's in that room. It's very dangerous
 17 to have it left open. That was a Security issue,
 18 you know?
 19 Q. Is it fair to say that anybody that
 20 sees that door open when it is shouldn't be open
 21 that has the authority should shut it?
 22 A. No. They should probably find out why
 23 it's open and how long it's been open.
 24 Q. Karen Barrett walked by, saw it was
 25 open, and knew Dr. Noak had left. Would you

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1 expect her to shut it?
 2 MS. MAC MASTER: Objection to the form
 3 of the question.
 4 MR. NAYLOR: Join.
 5 THE WITNESS: Probably not. She might
 6 come and ask me, you know, what I'm doing or --
 7 check and see where I am, to see if I'm in the
 8 cubby hole in the corner in that room where she
 9 couldn't see me. I would expect her to
 10 investigate it, yes.
 11 Q. (BY MR. BUSH) Okay. When you saw it
 12 was open, did you immediately go to Security?
 13 A. No. I looked in the room and
 14 immediately thought -- I didn't know when Dr.
 15 Noak left, so I don't know whether I went -- I
 16 could have gone to talk to Karen. I mean, I
 17 don't recall what I did.
 18 Q. Let's get back to talking to the
 19 correctional officers about the incident. Okay?
 20 A. Okay.
 21 Q. Do you recall having separate
 22 conversations with Officers Nees and Jackson?
 23 A. I don't recall.
 24 Q. Do you recall where any conversations
 25 with those officers took place?

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1 A. The one that I recall was up at the
 2 Control area.
 3 Q. Okay. Outside or inside the Control
 4 area?
 5 A. I don't recall.
 6 Q. Do you remember going inside the
 7 Control area?
 8 A. Not specifically.
 9 Q. Okay.
 10 A. That's not to say I didn't.
 11 Q. Okay. What do you remember about your
 12 conversations with Officer Jackson and/or Officer
 13 Nees?
 14 A. The only thing that I recall
 15 specifically is that -- and I don't know how I
 16 worded it or not, but I ended up finding out that
 17 they did not actually witness the incident,
 18 that -- I remember Jackson telling me that he
 19 basically looked down, saw me standing in the
 20 hall, and he knew something was wrong. Those
 21 were his words to me. "I knew something was
 22 wrong. I've never seen you like that." Then,
 23 of course, I turned around and said, "I quit,"
 24 but that's all I can recall specifically and
 25 accurately.

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1 Q. Did you ask Corporal -- or Correctional
 2 Officers Jackson or Nees to do anything on your
 3 behalf?
 4 A. I don't recall. I recall talking to
 5 them -- I don't know at what point in the evening
 6 I talked to -- I believe it was Officer Jackson
 7 after I had spoken to Ms. Hernandez.
 8 Q. Okay. And what did you tell him?
 9 A. I basically told him that there was --
 10 I don't remember my words again -- it's been a
 11 long time -- but to the effect of that Norma
 12 Hernandez had told me about some other issues,
 13 and that I felt like it was a conflict of
 14 interest for me. I didn't know procedurally what
 15 was the right thing to do, but that I had told
 16 her to seek out the Security Officers -- the
 17 Correctional Officers.
 18 Q. After you spoke with Karen Barrett,
 19 do you recall whether it was Ms. Hernandez or the
 20 Correctional Officers that you spoke to next
 21 about the incident?
 22 A. I don't recall.
 23 Q. Okay. At some point you did talk to
 24 Inmate Hernandez?
 25 A. Yes.

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1 Q. And did you go to her room?
 2 A. No.
 3 Q. Where did that conversation take place?
 4 A. She came up to get some medication.
 5 Q. She came up where?
 6 A. To the office --
 7 Q. Okay.
 8 A. -- the medical office.
 9 Q. Do you recall what medication she came
 10 up to get?
 11 A. No, I don't.
 12 Q. Do you recall whether you gave her
 13 medication?
 14 A. No, I don't.
 15 Q. And what happened?
 16 A. In general, I was informed of the
 17 events that occurred as she and Dr. Noak were
 18 going down the hall.
 19 I guess I came to realize that there
 20 was force involved, more so than I knew, and that
 21 the things that he said to her were inappropriate.
 22 I basically realized right then and
 23 there -- because I was still not happy about the
 24 whole situation, and I realized I wasn't the
 25 right one to be talking to.

1 Q. Okay. So what --
 2 A. And I told her that.
 3 Q. Let's take that in order.
 4 She came to the Medical Room asking for
 5 medication; correct?
 6 A. Well, she came up for pills of some
 7 kind. I can't remember whether it was for
 8 migraine pills or whether it was -- it would have
 9 been pill cart exchange, I would guess, based on
 10 the time frame, but I don't have any recall of
 11 what the purpose was.
 12 Q. Right. If she got medication --
 13 A. It wasn't just to come up and chat.
 14 You know, there were other people in line, too.
 15 Q. If she got medication, that would be in
 16 the chart somewhere?
 17 A. Yes, it would be.
 18 Q. And in the context of her coming to the
 19 medical office to get medication, you have a
 20 conversation with her about what happened?
 21 A. No.
 22 Q. Okay.
 23 A. Not a conversation. It was a brief
 24 interaction in which I identified very quickly
 25 that the events that occurred -- the verbalization

1 that occurred and the physical contact that had
 2 occurred was of a much -- it was much more
 3 inappropriate than I had thought to begin with
 4 and aggressive.
 5 Q. Okay. And that was based on what
 6 Inmate Hernandez told you?
 7 A. Correct.
 8 Q. Okay. Tell me what she told you.
 9 A. I don't remember specifically what she
 10 told me. I don't remember her exact words or --
 11 Q. Tell me generally what you recall.
 12 A. In general, basically, she told me that
 13 she was threatened; that if she didn't get better,
 14 she was going back to Pocatello -- in a nutshell --
 15 that's a generalized statement -- I'm just trying
 16 to give you the gist of what I recall because I
 17 don't remember specifics.
 18 She told me that he had hurt her
 19 forcefully, and that she had requested -- she
 20 told him, basically, that he was hurting her.
 21 The other thing is she thought that she
 22 had gotten me in trouble, so she was emotional.
 23 Q. Okay.
 24 A. That, I do remember.
 25 Q. Okay. Anything else?

1 A. Not that I recall. I mean, just that --
 2 those were the general things that she conveyed.
 3 Q. Okay. The conversation took place --
 4 well, strike that.
 5 Where was she in relation to you when
 6 this conversation took place?
 7 A. I don't recall. I recall she came --
 8 when she would have come up, she would have been
 9 standing in the doorway of the medical office.
 10 I don't recall whether I asked her to
 11 come in or whether she remained at the doorway.
 12 I can't remember.
 13 Q. Do you remember if you were standing,
 14 sitting down, or standing up?
 15 A. I don't.
 16 Q. When she said that he hurt her, did she
 17 indicate where?
 18 A. I don't remember specifically.
 19 Q. Did you examine her?
 20 A. No. I think I told her -- and this
 21 goes back to where I think -- I don't know
 22 whether I read it or whether it was in the audio,
 23 but I think I told her if she was hurt, then I
 24 needed to see her. That's something that I would
 25 have said, so --

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EXHIBIT

001023

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

JOHN F. NOAK, M.D.,)
)
 Plaintiff,) Case No. CV OC 0623517
v.)
)
PRISON HEALTH SERVICES, INC., a)
subsidiary of AMERICAN SERVICES)
GROUP, INC.; IDAHO DEPARTMENT)
OF CORRECTION; RICHARD D. HAAS;)
and DOES 1-10,)
)
 Defendants.)

DEPOSITION OF JOHN F. NOAK, M.D.
VOLUME III (PAGES 201 - 319)
September 25, 2008
Boise, Idaho

Amy E. Menlove, CSR No. 685, RPR, CRR

DEPOSITION OF JOHN F. NOAK, M.D.

BE IT REMEMBERED that the deposition of JOHN F. NOAK, M.D. was taken by the attorney for the Defendant, Prison Health Services, Inc., at the law offices of Comstock & Bush, located at 199 N. Capitol Boulevard, Suite 500, Boise, Idaho, before Amy E. Menlove, a Court Reporter (Idaho Certified Shorthand Reporter No. 685) and Notary Public in and for the County of Ada, State of Idaho, on Thursday, the 25th day of September, 2008, commencing at the hour of 1:02 p.m. in the above-entitled matter.

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NOAK, 9/25/08

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1 (Pages 201 to 202)

1 Q. So what did Karen Barrett report to you on the
2 27th of January, 2004?

3 A. She reported to me that she had had a patient
4 that -- this is the best of my recall -- she reported
5 that she had a patient who she suspected of having a
6 possible kidney stone.

7 Q. What do you recall that you told her?

8 A. I said to her, so that I wouldn't waste her
9 time -- I believe that I said, Do you recall the way that
10 we treat these?

11 And she said, Yes. IV fluids and pain medicine.

12 And I said, Let's do that. And then if it --
13 strain the urine and if it doesn't clear up, or if the
14 pain increases beyond the point where the medicine, which
15 was Darvocet, which was a mild analgesic, would take care
16 of it, then we could get an IVP. X-ray at ISCI was only
17 available on a certain day of the week. I don't remember
18 what day that is now.

19 So my initial instructions were -- she thought
20 it was a nephrolithiasis/kidney stone, so you'd treat it
21 in standard fashion, IV fluids and Darvocet for pain.

22 (Deposition Exhibit No. 18 was marked.)

23 Q. (BY MR. NAYLOR) Let me hand you Exhibit 18,
24 which is IDOC 4591 and 4592.

25 Do you recognize that? And look on the back as

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1 well.

2 A. That writing is not -- I don't know what
3 writing that is.

4 Q. So the writing on the back of 4592 is not your
5 writing?

6 A. No. I'm the only doctor I know that has
7 legible --

8 Q. On Exhibit 17, IDOC 5021, is this your
9 handwriting at the bottom of 5021?

10 A. No. That's a female hand, and this is written
11 by correctional Officer Deats.

12 Q. So on 5022, the next page, the last note is
13 yours starting with "Diffuse." "S diffuse"; is that
14 right?

15 A. Yes.

16 Q. Okay. So what do you remember happening next
17 with regard to Norma Hernandez's treatment?

18 A. Which is the evening that she went to -- what
19 date did she go to Saint Al's?

20 Q. Can you tell from Exhibit 17 that you're
21 looking at?

22 A. Parts of this I don't recognize.

23 (Deposition Exhibit No. 19 was marked.)

24 Q. (BY MR. NAYLOR) Let me hand you Exhibit 19,
25 which is IDOC 5006 through 5008, physician's orders.

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27 (Pages 253 to 254)

1 A. They overlapped for anywhere from 10 to 30

2 seconds.

3 Q. So then what happened after you completed your
4 examination?

5 A. Sitting at my desk --

6 Q. Well, did you tell Norma Hernandez that she
7 could go back to her room?

8 A. Yes.

9 Q. You complete the examination --

10 A. I would say yeah.

11 Q. Did you give any instructions to Jana
12 Nicholson?

13 A. Yeah. The plan.

14 Q. Okay.

15 A. That we were going to hydrate, rest, stretching
16 exercises. I asked her if she could show her the
17 stretching exercises. Pain, as all of us here know, the
18 common cold is the second most common complaint for any
19 patient visiting with a doctor. And then I asked
20 Ms. Nicholson to let me know if there were any other
21 problems.

22 Q. Then what did you do?

23 A. I sat down at a desk to finish my notes and to
24 do a little pondering at the same time. I was -- it was
25 quite a head-scratcher because I couldn't figure out

1 where -- what was causing the pain.

2 Q. Then --

3 A. And that's when I was reviewing the reports of
4 surgeries and the pathology reports. And before I got
5 started too long on that, from a few feet away -- by a
6 few, I mean, we measured it. From where I was sitting,
7 it was about five feet to the door. Another 10 or 12
8 feet down the hallway, I heard someone say, "Are you
9 going to faint?"

10 And as the so-called captain of the boat person
11 who is responsible for my patients, I came out to see,
12 just moved expeditiously to the scene.

13 Q. What did you see, and then what did you do as a
14 result?

15 A. It all comes together quickly and is presented
16 well on videotapes.

17 Q. What videotapes?

18 A. They had two cameras in the hallway. And
19 because there were what I call patients, you call
20 inmates, there were cameras to observe to protect
21 everybody because you had both male and female correction
22 officers and staff, and also male and female medical
23 staff.

24 Q. Did you review the tape of this incident?

25 A. No. It was not given to me.

1 Q. So you've never reviewed it?

2 A. No, I haven't.

3 Q. So when you say it's clear on the video --

4 A. The video will show. The video doesn't lie.

5 Q. Okay.

6 A. Where this happened was in clear view of the
7 camera.

8 Q. And do you know for a fact that a camera was
9 present in the hall where this incident occurred on
10 January 30th, 2004?

11 A. Yes.

12 Q. And what do you base that knowledge on? How do
13 you know?

14 A. Seen them.

15 Q. You saw them prior to January 30th?

16 A. Uh-huh, at other visits.

17 Q. Is that yes?

18 A. Yes.

19 Q. And about how far back do you remember seeing
20 video cameras in this hall at SBWCC?

21 MR. BUSH: How far back from what?

22 MR. NAYLOR: From the time of January 30th.

23 THE WITNESS: The closest camera --

24 MR. NAYLOR: Let me -- I'm sorry. I meant in time.

25 Q. (BY MR. NAYLOR) When you first became the

1 medical director in October of 2002, were there video
2 cameras in this hall at the women's prison?

3 A. Whenever it was the first time I was there, I
4 noticed it.

5 Q. Okay. And describe it for me. What does the
6 camera look like that you recall seeing?

7 A. This is a recollection now because it wasn't a
8 big deal back then. The cameras are normally enclosed in
9 a mirrored ball usually, the hemi ball or quarter of a
10 ball that you couldn't see in, but they could see out
11 because they had silver coating on the outside.

12 Q. And how certain are you that there was such a
13 video camera in the location in this hall at the time of
14 this incident with Norma Hernandez?

15 A. Pretty certain. Not 100 percent, but pretty
16 certain.

17 Q. Let's go back to what you remember.

18 So you heard somebody ask, "Are you going to
19 faint?"

20 A. Right.

21 Q. You got up from your desk, went out into the
22 hall, went about ten feet, you said?

23 A. 12 feet in the hall and five feet from my desk,
24 so about, from me, four or five strides.

25 Q. And then what did you observe and what did you

1 do?

2 A. The observation and movement were both ongoing.
3 What I needed to observe was if, indeed, this patient was
4 fainting, at which time I would have helped her down to
5 the ground. And it turned out that she wasn't fainting.

6 When people faint after a medical visit,
7 especially if they have been given a shot, injection --
8 but not always is that necessary -- they get pale,
9 clammy. Sometimes they'll even have a green look to
10 them, which is where the saying you look green around the
11 gills comes from.

12 But if they're not -- fainting itself is an
13 uncontrolled act. You just go down. I've seen that many
14 times and treated people for that many times.

15 As I slid in to assess her, took her right
16 arm --

17 Q. Hang on just a second.

18 A. Okay.

19 Q. Let me go back.

20 You said you were going to assist her down.
21 What did you mean by that?

22 A. If someone is fainting, you do not try and hold
23 them up. You help them to the ground.

24 And she was still standing as I got to her.

25 And I quickly looked for -- when these things become

1 unconscious or automatic over time, much as an attorney
2 knows when to say "I object," you just do it. So I took
3 her right arm --

4 Q. Before you took her right arm, where was Jana
5 Nicholson?

6 A. As best I remember, she was out away from the
7 wall with relation to Ms. Hernandez. And she had a hold
8 of her right arm as well, as I recall.

9 Q. And then in your complaint, you say you assumed
10 the proper position for supporting Hernandez to protect
11 her in the event she did faint. Correct?

12 A. Correct.

13 Q. What is the proper position?

14 A. Does anyone want to -- I can demonstrate.

15 MR. BUSH: Just describe it as best you can.

16 Q. (BY MR. NAYLOR) You need to describe it for
17 the court reporter.

18 A. You get close to the patient on the side. For
19 me, I was on the right side. And you support them by the
20 arm. And if they are warm, dry, and conscious, in my
21 estimation, not about to faint, then you walk alongside
22 of them. If they do start to faint, then you move them
23 to the downhill position, so to speak, whichever way you
24 go.

25 Remember, fainting is an involuntary act. And

1 they can pitch forward, to one side, or to the back. And
2 so when that happens, you do your best to get two arms
3 around the person, around the torso. It all depends on
4 their size. And then just help them down to a supine
5 position.

6 Q. I believe you testified that when you came out,
7 Jana Nicholson had her arm around Norma Hernandez?

8 A. Yes.

9 Q. How did -- did you do anything? Did you touch
10 Jana Nicholson to remove her from that position?

11 A. I may very well have touched her. But I was
12 assuming the position.

13 Q. And wouldn't it be fair to say that Jana
14 Nicholson had already assumed the position of supporting
15 the side of Norma Hernandez at the time you came out into
16 the hall?

17 A. I didn't know how -- I knew very little about
18 Jana Nicholson, so I didn't know what her capabilities
19 were.

20 And it comes down to my patient, I'm the person
21 responsible, and so I took over, much as an EMT or
22 paramedic brings a patient to an emergency department,
23 then a doctor takes over, much as when a B cop comes
24 across a homicide and calls the detectives. The
25 detectives take over.

1 Q. At what point in time did you determine that
2 she was not actually fainting? Before or after you
3 assumed the position?

4 A. As I was taking her arm.

5 Q. Okay. So Jana Nicholson is a CMS. Did you
6 know that she was an EMT?

7 A. Not at that time. It wouldn't have changed
8 what I did.

9 Q. You still would have inserted yourself and
10 removed Jana Nicholson?

11 A. Yes. That's my job.

12 MR. BUSH: Late objection to the form of that
13 question.

14 Q. (BY MR. NAYLOR) And so you stepped in between
15 Hernandez and Nicholson?

16 A. Correct.

17 Q. And at that point in time, did Hernandez need
18 any assistance?

19 A. I didn't know. That's an ongoing process.

20 Q. So did you sit her down to examine her?

21 A. No.

22 Q. Why not?

23 A. She was standing fine as I was taking her --
24 this all takes place in a fraction of a second. As I was
25 taking her, part of holding the arm, as you can tell, is

1 if someone is standing up and if they need to sit down or
2 lie down. And I don't think -- if I have somebody who
3 is -- or I consider there is a probability -- almost if
4 there is just a possibility thing, but certainly if there
5 is a probability of fainting, you lay them supine. You
6 don't set them down. You get them down all the way.

7 Q. You lay them down flat?

8 A. Supine, yes.

9 Q. And if a person is standing in the hall, how do
10 you get them into a supine position in the hall when
11 they're about ready -- when they might faint?

12 A. It's quite easy. You move around behind them.
13 If you feel that their knees are buckling, then just let
14 them down.

15 Q. So they come down into a sitting position and
16 then lay down flat?

17 A. Sometimes. Sometimes -- it depends on their
18 size and their strength and which way they're starting to
19 pitch when they faint. There are so many variables.

20 Q. Well, Dr. Noak, would the natural position be
21 for a person to fall first in a sitting position and then
22 lay back?

23 A. No. That's not been my experience. Fainting,
24 again --

25 Q. I'm not talking about fainting.

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1 A. Yeah.

2 Q. I'm talking about you assisting them into a
3 supine position. Wouldn't they, before they're supine,
4 be in a sitting position?

5 A. Maybe yes, maybe not. Depends how with it they
6 are. I have people do it both ways.

7 Q. Okay. At the time, then, you say you took
8 Norma Hernandez by her arm. Was it her right arm or her
9 left arm?

10 A. My recollection is her right arm with my left
11 arm.

12 Q. Did she consent to you taking her?

13 MR. BUSH: Objection to form.

14 THE WITNESS: If a patient is possibly fainting,
15 then they're not -- and given the possibility exists,
16 then they're not able to make a qualified objection.

17 Q. (BY MR. NAYLOR) After you touched her, though,
18 after you took her arm, you've testified that you
19 determined -- you assessed that she wasn't going to
20 faint, correct?

21 A. Yes.

22 Q. So now she is not fainting?

23 A. Not at that point.

24 Q. So you've got her by the arm?

25 A. Right.

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1 Q. And then what did you do?

2 A. We ambulated at her natural pace.

3 Q. Before walking her down the hall, did you ask
4 her --

5 A. That's what ambulation is.

6 Q. Yeah, that's why I used a different word.

7 As you walked her down the hall, then, did she
8 consent to have you walk her down the hall?

9 MR. BUSH: Objection; form, foundation.

10 THE WITNESS: Again, it doesn't matter because the
11 possibility of fainting has been raised. I have to be
12 there in case she does faint. It would be great if I
13 could predict into the future, but then I'd be a
14 stockbroker -- well, maybe not this week -- rather than a
15 doctor. You can't predict into the future for sure
16 what's going to happen. So it would have been negligent
17 on my part to not have her arm while we walked.

18 Q. (BY MR. NAYLOR) Okay. Now, you've been to
19 this location recently and measured the hallway; is that
20 right?

21 A. Yes.

22 Q. And what was the -- what's the measurement that
23 you measured from the exam room to Norma Hernandez's
24 bedroom?

25 A. I don't know that, but we did measure from

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1 where I took her arm to her bedroom.

2 Q. Okay. Which was approximately 10 to 12 feet
3 from the exam room, correct?

4 A. Yes.

5 Q. And so from that point, when you took her arm,
6 how far was it to her bedroom?

7 A. 80 feet, I think.

8 Q. 80 feet?

9 A. 80.

10 Q. So what was your intent at the time you started
11 to ambulate her?

12 A. Ambulate? The intent is the same as any good
13 doctor would do in that time, is to continue to assess,
14 to see whether her level of function is improving or
15 going the other way. You do handle things differently,
16 depending on that. So as part of that process, we
17 started off taking small steps. Then we gradually moved
18 up to what I believe her normal stride to be, which is
19 less than mine, obviously, because of leg length. And
20 she did great, which pleased me to no end.

21 Q. At the time that you took her arm, what was
22 your attitude? Were you frustrated?

23 A. I was concerned.

24 Q. Were you upset?

25 A. I was concerned. I was not frustrated. I was

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42 (Pages 283 to 284)

1 not upset.

2 Q. Before you came out of the exam room to Norma
3 Hernandez, were you upset or concerned? Excuse me, upset
4 or mad?

5 A. You were correct with the first question. I
6 was concerned.

7 Q. You weren't mad?

8 A. No.

9 Q. Did you make any statement or did you say
10 anything that would indicate to someone else -- strike
11 that.

12 Did you make any outburst that would reflect
13 that you were with upset or mad?

14 A. No.

15 Q. Did you slam your chart down on the desk?

16 A. When I went out, I may have dropped the chart
17 on the desk because then the chart wasn't important.

18 Q. Did that make a sound?

19 A. I don't recall. And I don't think I dropped
20 the chart, because when I write on a chart, one of two
21 things were happening. Either I was writing on the chart
22 flat on the desk, or I had the chart in my lap.

23 And, I was, as I said before, pondering and
24 wondering what in the world is causing it. Because until
25 these complaints -- until you find out, then that's an

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1 unknown there with a patient. And so we have unknowns
2 with patients a lot, but you do your best to chase down
3 the cause.

4 Q. When you took Norma Hernandez by the arm, could
5 she walk by herself?

6 A. I wasn't sure at first, but I said to her,
7 Let's go for a walk.

8 Q. You said that to her?

9 A. I believe so.

10 Q. And what was her response?

11 A. I don't remember. Either nothing or okay. But
12 she started walking.

13 Q. What did you do to assess her medical condition
14 when you first came in contact with her?

15 MR. BUSH: In the hallway?

16 MR. NAYLOR: When you came out and took her by the
17 arm.

18 MR. BUSH: In addition to what he's already
19 testified to?

20 MR. NAYLOR: Yes.

21 MR. BUSH: Okay.

22 THE WITNESS: I used my tactile senses, my eyesight,
23 my sense of smell.

24 Q. (BY MR. NAYLOR) Did you ask her anything? How
25 are you feeling? Do you feel faint?

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1 A. I don't recall what I asked.
2 Q. Now, you're ten feet from your exam room.
3 A. Yeah.
4 Q. Why didn't you go back into the exam room?
5 A. What?
6 Q. Why didn't you take her back into the exam room
7 to assess her?
8 A. Because I was in the process of assessing.
9 Even looking back with 20/20 hindsight shows that my
10 assessment there in the hallway was correct. The best
11 thing to do in these situations, if a person isn't
12 already going down to faint, is to be calm and to
13 normalize the situation.
14 Q. And you were calm?
15 A. Yes. I got there quickly and then took her
16 down.
17 Q. So you touched her arm and you felt that she
18 wasn't cold and clammy.
19 A. Yes.
20 Q. And other than that, you didn't assess any
21 other --
22 A. Just described other assessments that I did.
23 Q. Well, you walked her down the hall?
24 A. No. I described --
25 Can you read back to him the part about me

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1 using the sense of sight, tactile, and smell?
2 Q. I think that's -- if that's what you testified
3 to, that's fine.
4 Nothing else?
5 A. There is a lot to all of that.
6 Q. Okay.
7 A. Assessment isn't a static point in time. It's
8 an ongoing thing. From the time we got the first phone
9 call all the way until I got her back to her room.
10 Q. So after you stepped in between Hernandez and
11 Nicholson, what was Jana Nicholson doing?
12 A. I have no idea.
13 Q. Did you pay any attention to what she was
14 doing?
15 A. The patient is the only one that matters.
16 Q. Did you ask her for any assistance?
17 A. No.
18 Q. While you were walking with Norma, were you
19 dragging her?
20 A. No.
21 Q. Were you forcefully moving her down the hall?
22 A. No. She did great.
23 Q. Did you say anything to her along down the
24 hallway?
25 A. Yes.

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1 coffee black and I drank mine with cream. Any coffee
2 that I drank there had quite a bit of creamer in it, or
3 the actual cream that I brought in and put in the
4 refrigerator.

5 Q. And who was that employee you're talking
6 about?

7 A. Lisa Bell.

8 Q. And you assert that that was a statement she
9 knew to be false?

10 A. Yes. She knew that I drank my coffee with
11 cream in it and that she didn't. And she stated that I
12 picked up her cup of coffee, drank it or took a sip out
13 of it to humiliate her. If I picked up a cup of coffee
14 and took a drink out of it, it would be because it was
15 my cup of coffee or I believed it was mine and that I
16 wanted to take a sip of coffee.

17 Q. Any other facts that you're aware of relating
18 to PHS statements that you believe that were made with
19 the knowledge of their falsity?

20 A. Yes. Mr. Dull in his notes stated that I was
21 -- that I suffered from a personality defect.

22 Q. What notes are you referring to?

23 A. The ones that you folks were kind enough to
24 provide us earlier this year from notes that Mr. Dull
25 provided to you of his notes allegedly made at the time

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1 that this all deals with back in February or March of
2 2004, and where he stated that I had a person -- that a
3 PHS psychologist had told him that I had a personality
4 disorder. And this was on a page that had been faxed
5 within the company.

6 Q. So what information or facts do you rely on
7 to substantiate the allegation that that statement was
8 not true, that a psychiatrist had not told Mr. Dull
9 that?

10 A. No PHS psychiatrist or psychologist -- well,
11 no PHS psychiatrist from the home company has a license
12 in Idaho. Before that allegation or statement can be
13 made, a person has to be run through a series of tests,
14 a battery of tests, and interviews. And so it will be
15 either Mr. Dull making the statement falsely or the
16 theretofore unidentified company
17 psychologist/psychiatrist who made the false statement.

18 Q. Have you ever been diagnosed with a
19 personality disorder?

20 A. No.

21 Q. Have you ever seen a psychologist?

22 A. Yes.

23 Q. Have you ever seen a psychologist for
24 treatment?

25 A. Yes.

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1 Q. When?

2 A. Most recently was four weeks ago. I've been
3 following with -- and you should have it on your list
4 -- Dr. Jerry Doke, Ph.D. I've seen him probably eight
5 times in the last five or six months. And he would be
6 happy to provide information about this very topic.

7 Q. Have you been diagnosed with a personality
8 disorder by Jerry Doke?

9 A. No.

10 Q. Has Jerry Doke provided you any diagnosis of
11 your psyche?

12 A. Yes.

13 Q. And what does he say?

14 A. PTSD.

15 Q. Relating to what?

16 A. Relating to the events from early 2004
17 forward.

18 Q. The termination from PHS?

19 A. The -- all of the events, the way they were
20 handled, the Kafkaesque existence -- the surreal and
21 horrible experiences I went through from early February
22 until the present.

23 Q. Well, are there any of these events, as
24 you've just described them, that are unrelated to your
25 employment and termination at PHS?

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1 MR. BUSH: Objection, form.

2 You can answer if you understand the
3 question.

4 THE WITNESS: They are either directly caused by
5 that or flow from the foreseeable consequences of what
6 happened in early 2004. Dr. Doke can state that more
7 eloquently than I can and in the proper psychology
8 language.

9 Q. (BY MR. NAYLOR) Did you have any mental
10 disorder prior to March, 2004?

11 MR. BUSH: Objection, form.

12 THE WITNESS: I had mild reactive depression to
13 chronic fatigue syndrome.

14 Q. (BY MR. NAYLOR) And who was that diagnosed
15 by?

16 A. The physicians that I saw in 1996 and 1997,
17 as well as myself.

18 MR. NAYLOR: Let's have this marked.

19 (Deposition Exhibit No. 23 was marked.)

20 Q. (BY MR. NAYLOR) As well as yourself? You've
21 diagnosed yourself?

22 A. Yeah.

23 Q. Let me hand you Exhibit 23. I took the
24 liberty to revise the previous document marked as
25 Exhibit 15 after you went through and corrected all the

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1 spellings and names. Is Exhibit 23 a more accurate
2 listing of your health-care providers?

3 A. Yes. And that just -- I'm sorry -- just
4 keyed my memory, because of the topic, to a female
5 psychiatrist in Pekin Hospital. I'll look her name up
6 for you.

7 Q. That would have been approximately what
8 period of time?

9 A. June of '96 through October, November of '96.

10 Q. Turn to paragraph 48 of your Complaint?

11 Paragraph 48, are you there?

12 A. Yes.

13 Q. It says: "As a direct and proximate result
14 of the intentional, outrageous, malicious, reckless
15 and/or negligent conduct" -- and I'm just going to
16 relate to the PHS -- "Plaintiff has incurred severe
17 mental suffering manifested by substantial loss of
18 sleep, headaches, stress disorders, and/or other
19 physical symptoms".

20 What other physical symptoms other than what
21 is listed here do you claim that you suffer as a result
22 of those allegations?

23 A. A worsening of all physical signs and
24 symptoms associated with chronic fatigue syndrome.

25 Q. Anything else?

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1 A. Would you like those enumerated?

2 Q. Sure.

3 A. Okay. Do you have a blank piece of paper?

4 Q. You can just tell us. She can write it. She
5 can take this down.

6 A. It helps me. It just helps me to think.

7 That's how I think, with a pen in my hand.

8 MR. BUSH: Write on the back of that.

9 THE WITNESS: Thank you.

10 At times, intractable fatigue.

11 Q. (BY MR. NAYLOR) Did you have this symptom
12 prior to March 10th, 2004?

13 A. To much less of a degree.

14 Along with PTSD comes such things as night
15 terrors, marked increase in physical pain, at times
16 significant increase in memory difficulties. Since that
17 happens to all doctors past the age of 60, anyways,
18 that's why we all take notes.

19 There is a growing body of knowledge in the
20 literature -- and I'll pass on copies to you, because
21 they were also provided to Dr. Morland -- that showed
22 that the increased stress yielded and/or at least
23 contributed to the three blown disks. Chronic fatigue
24 that's worsened causes increased outflow of cytosines
25 from the midbrain.

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1 Back up a little bit.

2 The incompletely treated physical pain yields

3 actual brain damage. As a result of the increase in

4 the PTS -- I'm sorry -- in the chronic fatigue

5 syndrome, I did suffer a right pulmonary emboli and

6 total infarction of the right main lower pulmonary

7 artery. Dr. Goltry and I the next morning made the

8 comment that neither of us had seen one this bad on

9 anyone who had survived. That coincidentally happened

10 on the evening that the S.B.A. note was paid off.

11 Always some good, always some bad news.

12 As a result of that, unable to effectively

13 work for four months, just now slowly recovering from

14 that; which put me into a lot of problems. Because it

15 is dangerous for me to work very much, but the loans

16 have to get paid, further loans. And so then there's

17 the psychological fatigue of knowing that you have to

18 work, probably more than you are, to keep up with your

19 bills. But if you work any more than you're working,

20 it's going to put you under six feet. And, therefore,

21 it has caused me to have to sell family heirlooms and

22 almost all of my possessions of value. And then

23 there's the reduced living quarters that were required.

24 I live in a trailer that costs me nothing per month.

25 And its condition reflects that.

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1 Also, due to the emboli, which, again, was

2 due to the worsening of the chronic fatigue syndrome, I

3 had pneumonia; which required 12 days of IV

4 antibiotics. I now have many, many thousands of

5 medical bills and, of present, no way to pay them.

6 So this time has created ripples and more

7 ripples. There you go.

8 Q. Dr. Noak, what specific acts do you allege

9 that PHS personnel took after your termination that

10 were outrageous, reckless, or negligent?

11 MR. BUSH: Objection to form of that question.

12 You can answer, if you can.

13 THE WITNESS: Their statements that we've already

14 been over many times that were made were designed to

15 hurt me as much as possible.

16 Q. (BY MR. NAYLOR) Let me just clarify my

17 question, if I didn't. What statements or conduct by

18 PHS employees --

19 A. Statements. Okay.

20 Q. -- after your termination of March 10th,

21 2004, do you consider to be intentional, outrageous,

22 malicious?

23 MR. BUSH: Same objection.

24 THE WITNESS: Statements that I became aware of

25 long after this period of time. I suppose that one

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25 (Pages 368 to 369)

1 Q. And who was the witness PA, the other one?

2 A. The original PA was Vern McCready.

3 Q. That's who didn't stay long enough?

4 A. Yes.

5 Q. Oh, okay.

6 A. And so, I -- since I have no power to hire or
7 fire, I had a strong talk with him. And then I talked
8 with our VP and said, I'm not convinced we should be
9 keeping him.

10 Q. Hengst or McCready?

11 A. Hengst.

12 Q. Okay.

13 A. And something like not staying there long
14 enough, you can train.

15 What do you do with someone who is almost 40
16 years old and says something like that? I just didn't
17 know.

18 And the discussion went along the lines of,
19 well, we don't have anyone to replace him right now.

20 And so I said to myself, I said, well, I'm
21 going to do my best to find someone to replace him.
22 Because that's -- you can't have that.

23 Q. Did you discipline Vern McCready for not
24 staying the full hour?

25 A. Yes, I had a talk with him.

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1 Q. And was Mr. Hengst ultimately terminated, or do
2 you know?

3 A. I have no idea.

4 Q. Is it your understanding that a direct
5 confrontational test, as you've described it, for
6 allergies, is a medically accepted procedure in testing
7 for an allergy?

8 A. Yes. We've done it for -- it's the same for
9 the wool blankets, and it's been done there for 40 years.

10 Q. And is that test, in your opinion, based upon
11 your experience and training as a physician?

12 A. Yes.

13 Q. The trick is, one, very small amount. Two,
14 monitor. The reason to go through the extra effort is
15 because your blood test may show negative, but the
16 confrontational testing may show something else entirely.

17 MR. NAYLOR: Okay. I need to take a break real
18 quick.

19 (Break taken from 3:39 p.m. to 3:49 p.m.)

20 Q. (BY MR. NAYLOR) Would it be fair to say -- and
21 I'm just kind of speeding this up --

22 A. Sure.

23 Q. Would it be fair to say that there are other
24 work site facilities in Twin Falls -- is there one in
25 Nampa?

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1 the way that I've always handled them when I've been
2 working for someone else, is two verbal discussions and
3 then a written one. And also talk to the regional vice
4 president if it occurred more than once.

5 Because, again, they're the person who has the power
6 to hire and fire. I had none of those powers. Any form
7 of discipline there had to be meted out by the regional
8 vice president and directed by them. My capacity there
9 was simply there to be an as advisor. It's the same
10 setup as the military bases.

11 Q. (BY MR. NAYLOR) Have you ever heard a
12 supervising medical professional, while you were the
13 state medical director, use belittling terms toward
14 another medical care provider?

15 MR. BUSH: Objection; form.

16 THE WITNESS: Not that I recall.

17 Q. (BY MR. NAYLOR) Well, would it -- did you ever
18 hear anyone call another professional "stupid" in front
19 of other staff?

20 A. No.

21 Q. Would that be appropriate professional conduct?

22 A. No. You talk about actions, but you don't talk
23 about a person.

24 Q. Let's talk about sterile environments and
25 treating.

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1 Tell me if it is appropriate to use a scalpel
2 for one patient's treatment -- for example, taking off a
3 corn on someone's toe -- and then using that same scalpel
4 on another patient.

5 A. If it's been sterilized there is no problem.

6 Q. Without sterilizing it.

7 A. No. They have to sterilize it. Sterilize it
8 with alcohol, heat -- or in a hospital setting, they had
9 a special gas.

10 Q. Would it be appropriate professional medical
11 care to, again, use a scalpel to cut off a corn, draw
12 blood, the blood is on the scalpel, on the rubber gloves,
13 and use both the scalpel and those same rubber gloves to
14 treat another patient?

15 A. Not unless the blade was sterilized and the
16 rubber glove was cleaned and sterilized with alcohol.

17 Q. So in your opinion, that would not be
18 professional conduct?

19 A. That's correct.

20 Q. Have you ever accused a patient, an inmate
21 patient, of faking their symptoms?

22 A. No.

23 Q. You've never accused a patient directly that
24 they were faking?

25 A. There is a difference between -- you don't ever

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1 use the word "faking." It's a well-known medical fact
2 that there is a certain percentage of people -- it's a
3 small percentage -- that will magnify a condition or
4 present with a condition for what's called secondary
5 gain.

6 Q. What do you mean by that?

7 A. Say you have a --

8 Q. You mean they really want drugs and so they --

9 A. No. Secondary gain can be anything -- a
10 classic example that really all of us can verify is when
11 a child complains of being sick, maybe they're having a
12 test in school or --

13 Q. So do you recall that ever happening with an
14 inmate?

15 A. Inmates. In the best of all worlds, I
16 believe -- this is speculation -- might be for some
17 people to be at a low security institution, but then also
18 be on bed rest for an extended period of time. Whereas
19 if a person is in for an extended period of time, then
20 protocol and good medical practice is that they go over
21 to the -- there was a medical building at ISCI -- the
22 yard some people call it -- until that illness is
23 resolved.

24 Then they can come back to the workplace, which
25 has fewer restrictions but more responsibilities. So

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1 whenever I had a patient that wanted a lay in, I think it
2 was called, which means you lay in the bunk, who I was
3 seeing, I would examine them closely to see if the
4 symptoms they were complaining of were consistent. If
5 they were, they would be sent over to ISCI. If they
6 weren't, they'd go back.

7 Another instance that I've seen, many times in
8 the civilian world as an emergency physician, is
9 something called pseudoseizures. And they're different
10 from other types of seizures in that there is not a focus
11 for the epileptic waves in the brain. If someone with
12 pseudoseizures is given medicines for regular seizures,
13 that's very dangerous.

14 So if you have a patient presenting with
15 pseudoseizures, you have to -- or that may be presenting
16 with them, you have to establish whether they're pseudo
17 or real.

18 Q. How would you do that?

19 A. Any number of ways. There is an excellent
20 book --

21 Q. No, I mean --

22 A. No, I'm going to go over some of them. Just
23 thinking about the book where I was taught this in
24 medical school.

25 And the way that that's done is if the

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1 conditions are safe for -- say we have a patient in the
2 ER who has come in for whatever reason and is restrained
3 on a gurney, and the lady just starts displaying
4 pseudoseizures. That we just wait and watch.

5 If they continue on, what is taught in medical
6 schools is to provide a noxious stimulus to override
7 pseudoseizure. One is called a sternal -- you use a
8 sternal rub. Another is you pinch a toe. Another is to
9 use smelling salts. There is about three more which I
10 don't recall at this time.

11 Q. Would ammonia sticks be a form of smelling
12 salts?

13 A. I've never heard the term "ammonia sticks," but
14 smelling salts, I mean, a small ampule. A glass that is
15 surrounded by two layers of cloth for safety so that the
16 glass and liquid ammonia do not come to the surface.
17 It's normal -- the fabric is normally silk. I cut one
18 apart in residency one time to see what it was made of.

19 Q. You say you're not familiar with an ammonia
20 stick?

21 A. Ammonia stick is a term that I've not heard.
22 Smelling salts is the term that I'm familiar with.
23 Smelling salts do have ammonia in them, so maybe that's
24 what some people call them. Or maybe a brand name. I
25 don't know.

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1 Q. Is there another way of releasing the smelling
2 salts other than just breaking it open?

3 A. No. Just pinch. You can't tear it apart
4 because the silk is quite strong. The one I examined I
5 had cut with a pair of -- a very sharp metal cutting tool
6 to cut through the silk.

7 Q. Would it be an appropriate treatment in a
8 situation where you suspect a pseudoseizure to directly
9 apply ammonia to a person's nasal cavity?

10 A. You don't directly apply the ammonia. It's a
11 vapor, not a liquid. That's the way these things are
12 designed is so that the only thing that gets out is the
13 vapor.

14 And oftentimes doing it that way is safer than
15 holding them away. And because -- this is from ten years
16 of emergency department -- seeing that if that or any
17 other noxious stimulus is applied, the patient oftentimes
18 will continue to do the pseudoseizures, but move away
19 from the noxious stimulus, whatever it is, in a way that
20 looks like it's still part of the pseudoseizure.

21 Q. I'm not sure I understood your answer because,
22 correct me if I'm wrong, you indicated at one point in
23 the answer that you would just allow the vapors to --

24 A. To be --

25 Q. Let me finish.

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1 -- the vapors to be exposed to the patient?

2 A. Correct.

3 Q. But then it seemed that you were talking about
4 directly applying the ammonia.

5 A. Well, I don't think you heard the first part of
6 my answer.

7 Is there a piece of paper I can draw a diagram
8 on?

9 Q. Sure, if that will help you.

10 A. It's to help you.

11 Here's the way the smelling salts are
12 constructed. Inside is a very, very thin ampule. And
13 the outside of that is at least two layers of silk. The
14 ampule is not filled. You're looking at the ampule from
15 the side. It's not filled. It's about like that.

16 Q. About halfway?

17 A. And so when you go like this --

18 Q. When you rub it together?

19 A. No, just pinch it. You pinch it, and then this
20 part, even though it's broken off, it stays inside. And
21 what comes out are vapors. And the reason that it's
22 oftentimes safer to directly use them --

23 Q. What do you mean by "directly use them"?

24 A. If I had a couple here, I could show you myself
25 even though it's not all that pleasant. You crack them

1 and go like that.

2 Q. You mean crack them and stuff them up into the
3 nasal cavity?

4 A. Just put it in there partway. And the reason
5 is -- two reasons. One, you don't end up chasing the
6 head around while someone is continuing to have a
7 pseudoseizure. That's dangerous. I saw a patient who
8 was being treated by someone else that was quite a while
9 ago, many years ago, being harmed from taking a tumble.

10 And also when you're doing this, the total
11 exposure tends to be more than if you did it this way.
12 This way has never taken more than about four or five
13 seconds.

14 Q. So you're saying if you don't directly apply
15 the smelling salts or ammonia to the nasal cavity, that
16 the total exposure is increased?

17 A. Can be increased, yes.

18 Q. Okay.

19 A. Because it's a gas. So if someone is moving
20 around, they're getting plenty of that gas into them, but
21 at a lower concentration over a longer period of time.

22 Like this, but now we're 15 or 20 seconds down the road,
23 if not longer. They've gotten a fairly stiff amount.

24 Whereas if it's applied like this, it's less total
25 exposure.

1 Q. You mean supplied all in one dose is less than
2 if it was indirectly supplied over a longer period of
3 time?

4 A. Because they're getting more per unit of time,
5 but the total units of time are much less. And that
6 resolves the question much more quickly and safely. I
7 was taught that -- actually when I was a medic in the
8 military.

9 Q. So regardless of what you call them, smelling
10 salts, this device has ammonia in it?

11 A. Yes.

12 Q. And it's your testimony -- well, back up.

13 Is it your opinion based upon all your training
14 and expertise as a physician, that it is appropriate care
15 to directly apply the smelling salts, ammonia, partially
16 inside a nasal cavity?

17 A. Your terminology is off a little bit. In
18 either case, they're getting exposed to the same gas.
19 There is less total gas exposure and will stop a
20 pseudoseizure very quickly. And at one time, I saw these
21 applied, and it took, I think, four ampules to get him
22 stopped.

23 MR. NAYLOR: Would you read my question back.

24 (The record was read by the reporter.)

25 THE WITNESS: They're not being directly exposed to

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1 the ammonia. Their nasal cavity is being exposed to the
2 gas. That gas directly impinges on the nasal cavity,
3 whether you're holding it this far or in closer or
4 slightly in. What's different is that if you do it this
5 way, it doesn't last as long.

6 Q. (BY MR. NAYLOR) Are there any risks to
7 applying the ammonia, inserting it partially inside the
8 nasal cavity?

9 MR. BUSH: Object to the form.

10 You can answer.

11 THE WITNESS: The same as there are to holding them
12 there, same risks.

13 Q. (BY MR. NAYLOR) What are those risks?

14 A. Ammonia is noxious. And if too much is applied
15 for too long a period of time, then the nasal, or worse,
16 the lung tissue is exposed to too much. And that's why
17 the dose here is limited and you never use more than two
18 at once.

19 Q. Wouldn't there be a risk if you insert the
20 smelling salt's ammonia inside the nasal cavity of
21 actually touching the tissue with the ammonia?

22 A. The ammonia -- this is, I'm sorry, physics and
23 chemistry. The ammonia in a gas form touches that cavity
24 no matter what.

25 Q. Okay. I'm talking about the liquid form.

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1 A. The liquid form doesn't escape. That's why you
2 have the silk layers.

3 Q. And so is it your testimony that it is
4 acceptable medical practice to insert smelling salts
5 inside the nasal cavity?

6 A. About that far.

7 Q. About an inch?

8 A. No. The things are about an inch long.

9 Q. You need to describe it for the court reporter.

10 A. Oh, I'm sorry. About a centimeter.

11 Q. Okay.

12 A. And the other thing is since the patient's
13 head -- the part that's in there is this part here.

14 Q. I'm sorry. Can you describe that for the court
15 reporter?

16 A. The part that's inside the nasal cavity is not
17 the part that holds the liquid itself. It's remnants of
18 the ampule and the silk wrappings. And that has been my
19 training, yes.

20 Q. Have you ever told a patient -- strike that.

21 Have you ever told medical staff to just shove
22 the ammonia up the nose of someone you believed to be
23 faking a seizure?

24 A. No. And you don't shove it up the nose.

25 Q. And you've never said that?

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1 A. No, I've never said shove it up the nose. I
2 said to them -- because after having seen 30 or 40
3 pseudoseizures over the years, you recognize them. But
4 you have to get the patient to recognize them. And I
5 said watch this. This is the quickest way to get this
6 done. So, yeah, I did.

7 Q. In your opinion, have you ever mistreated an
8 inmate patient?

9 MR. BUSH: Objection; form.

10 THE WITNESS: No.

11 Q. (BY MR. NAYLOR) And what do you mean by
12 "mistreated"?

13 MR. BUSH: That's your question, so you need to
14 define it. He doesn't define your question.

15 Q. (BY MR. NAYLOR) All right. Have you ever
16 spoken to a patient in a belittling way?

17 A. Not that I recall.

18 Q. Have you ever used derogatory terms to describe
19 a patient in his presence?

20 MR. BUSH: I think that's been asked and answered.

21 You can answer again.

22 THE WITNESS: No.

23 Q. (BY MR. NAYLOR) Have you ever inappropriately
24 touched an inmate patient?

25 A. Please define that.

Page 232

1 Q. Well, have you ever -- do you know what an
2 appropriate touching of an inmate patient is?

3 A. Yeah.

4 Q. Okay. It's just the opposite.

5 MR. BUSH: Well, objection. I mean, to be fair, are
6 you asking whether in his opinion or the inmate/patient's
7 opinion the touching is appropriate?

8 MR. NAYLOR: In his opinion.

9 Q. (BY MR. NAYLOR) In your opinion, have you ever
10 inappropriately touched an inmate patient as a medical
11 provider?

12 A. No.

13 Q. Do you remember an inmate by the name of
14 Mr. Kersling?

15 A. No, not specifically.

16 Q. Well, to refresh your recollection,
17 Mr. Kersling was extremely overweight and came in to be
18 treated by you.

19 Does that refresh your recollection?

20 A. No. You see a lot of patients over the years,
21 and specific name, unless you've been taking care of
22 someone for a few years, oftentimes you don't remember.

23 Q. And do you remember an incident where Jana
24 Nicholson was present and you came to clinic and
25 Nicholson told you that you needed to see Mr. Kersling

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1 first, and you immediately said, "Oh, that fat fuck?"

2 A. No.

3 Q. Do you deny saying that?

4 A. Yes.

5 Q. Then you repeatedly said in a loud tone that
6 others in the clinic could hear, and you repeated the
7 phrase "fat fuck" several times.

8 Do you deny that?

9 A. I do.

10 Q. Now, do you remember this Mr. Kersling?

11 A. Not specifically. I took care of many inmates.
12 Some were thin. Many were overweight. It was pretty
13 high.

14 Q. Do you ever recall Jana Nicholson calling to
15 your attention anything inappropriate you said to an
16 overweight patient?

17 A. No.

18 Q. Do you remember a time when the physician
19 assistant Tom Hengst had scheduled a patient to see you
20 to remove a cyst, you grabbed the patient, moved it back
21 and forth, and called Mr. Hengst back into the room and
22 asked Mr. Hengst if he knew the difference between a
23 lymphoma and a cyst?

24 A. No.

25 Q. Do you deny saying that or you just don't

Page 234

1 recall?

2 A. I deny saying that.

3 Q. Then after Hengst left the room after this
4 interaction, that you referred to Mr. Hengst as, quote,
5 that dumb shit, in front of other PHS staff?

6 A. I deny that.

7 Q. Have you ever threatened an inmate that you
8 would transfer that inmate to another facility if they
9 did not cooperate or do something that you wanted them to
10 do?

11 A. That's the province of the correctional
12 officers, not mine.

13 Q. Have you ever threatened an inmate with being
14 moved to a different facility?

15 A. Never threatened. Several occasions I
16 explained to patients that if they have a serious illness
17 that's going to last longer than the institution that
18 person is presently at, that they will have to go to the
19 designated institution. For men, that's ISCI for
20 extended care. And for women that's Pocatello.

21 There are facilities in the SICI/farm for
22 extended care of a patient with a serious illness. Those
23 are in ISCI for men and Pocatello for women. That's what
24 part of the design of the whole system is, is that the
25 medical care, if it's for a significant illness or an

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1 illness that the patient is going to have for a long time
2 that's going to require ongoing care, that they have to
3 go to the facilities that are designated by IDOC for
4 that. They were built for that purpose.

5 Q. Have you ever threatened an inmate to move them
6 to a higher security facility because you thought they
7 were faking symptoms?

8 A. No.

9 Q. Did you ever threaten Norma Hernandez that you
10 would transfer her to a higher security facility?

11 A. I don't understand why you're bringing the word
12 "security" into it. In my job as a physician and taking
13 care of medical needs, they have to be taken care of at
14 the appropriate medical facility. Security level has
15 nothing to do with it. It's where the infirmary beds
16 are, if necessary, where the around-the-clock nursing
17 care is available, and where arrangements are in place
18 with a treating hospital.

19 For women, I don't know if it was PHS or IDOC
20 who had contracted with a hospital in --

21 Q. Doctor, I appreciate all that procedure, but
22 let me just get back to the question.

23 Did you ever threaten Norma Hernandez to move
24 her to another facility --

25 A. No.

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1 Q. -- in retaliation?

2 A. Nothing in retaliation. It's based on
3 medicine.

4 Q. Then did you ever have cause to recommend that
5 Norma Hernandez be moved to another facility for medical
6 reasons?

7 A. No, I did not recommend that to anyone.

8 Q. So you wouldn't have even told her that you
9 needed to move her for her medical well being; is that
10 true?

11 A. Yes, because -- I did tell her that because at
12 the time I only saw her once. And she'd been seen the
13 evening before at Saint Alphonsus Regional Medical
14 Center. So the doctor who saw her there and myself did
15 not find anything significant at that time.

16 Q. Do you recall a patient by the name of Carla
17 Banger, B-a-n-g-e-r?

18 A. No.

19 Q. Do you recall a female patient that you treated
20 with Jana Nicholson, and as you came out of the
21 examination room, you told Nicholson that they don't pay
22 these people enough for acting?

23 A. No.

24 Q. Do you deny saying anything like that?

25 A. Yes, I do.

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1 Q. Perhaps this will refresh your recollection on

2 Carla Banger: She had not urinated for a significant
3 period of time. Her belly was increasing in size with
4 fluid. You allegedly insisted that Nicholson give Banger
5 more fluids, and Nicholson asked you to reevaluate.
6 Nicholson then told you she was taking Banger to the ER
7 at Saint Al's.

8 Do you recall this patient now?

9 A. No.

10 Q. And you told Nicholson that Banger did not need
11 to go to the hospital. Nicholson took her anyway, and
12 you were upset and told Nicholson fine and just to have a
13 KUB test.

14 After Banger arrived at the hospital, she was
15 rushed into emergency surgery and remained in the
16 hospital for over two weeks.

17 Do you recall that patient?

18 A. I don't recall that.

19 Q. You don't recall that at all; is that right?

20 A. That's correct.

21 Q. Do you recall a patient by the name of Mr. Bolt
22 where Janet Nicholson asked you to assess a rapid heart
23 rhythm?

24 A. I don't know who asked me to, but I did assess
25 Mr. Bolt.

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1 Q. What do you recall about that treatment?

2 A. Mr. Bolt is unfortunately deceased now. I had
3 seen him for routine care a couple weeks prior. And at
4 that time, his heart rate rhythm was normal and there
5 were no murmurs. And when I was asked to see him again,
6 listen to him, he had -- we rate murmurs one to six. He
7 had a five over six to six over six systolic murmur, if I
8 recall exactly. And that was disturbing, the change in
9 such a short period of time.

10 And what's disturbing about that type of a
11 murmur is it can be caused by bacterial endocarditis or
12 bacterial endocarditis can result from it. Because the
13 murmur is this turbulent flow across the valve. And if
14 you have turbulent flow, then you have eddies. And just
15 as when you're going by the river, you can see foam and
16 sticks and stuff in the eddies, in the human body, you
17 can get bacteria that stay in that eddy and then infect
18 the valve. It can often be very dangerous.

19 Q. Do you recall Jana Nicholson pointing out to
20 you circled areas of the EKG for Mr. Bolt that caused her
21 concern?

22 A. I don't recall that.

23 Q. Do you recall telling Jana Nicholson after
24 reviewing Mr. Bolt's EKG that you thought Mr. Bolt was
25 faking?

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1 A. No.

2 Q. Do you recall -- so I guess, based on your
3 earlier testimony --

4 A. Would you like me to finish?

5 Q. Go ahead and finish the question.

6 A. The concern that I had -- and I ordered some
7 medical tests -- was that this could be -- the medical
8 term for something bad that's caused by medical treatment
9 is called iatrogenic. So the medical term for something
10 bad that's happening to a patient because of something
11 they're doing is factitious. It's very, very unusual,
12 and I have never seen such a thing before, that that
13 severe of a murmur would just appear and then over the
14 course of the next week or so, appear and disappear. So
15 I'd ordered a test to see if there was any thyroid
16 medicine in his blood. That came up negative.

17 In thinking about the case a little later, I
18 thought I also should check for Digoxin in his
19 bloodstream. The thyroid levels, if someone is taking
20 levothyroxine, you don't know about it, that can cause
21 the heart to beat faster. But the Digoxin would cause
22 the heart to beat harder, more forcefully. That's what
23 that medicine was originally designed for. It's not used
24 much these days, but for a period of 60 years in American
25 medicine, it was used very frequently for patients with

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1 congestive heart failure. And I think that may have been
2 the cause.

3 I cannot think of a natural condition that
4 would cause this horrendous murmur to start and then
5 stop. If a person has a murmur, there are certain things
6 that can make it more apparent. Exercise for one. Now
7 the heart is working a little bit harder, and then you
8 can hear the flow. That's most normally noted in young
9 athletes, flow across the mitral valve.

10 This person was leading a relatively sedentary
11 existence, and I was trying to figure out what would
12 cause this to happen. And also, I decided on the course
13 of treatment.

14 Q. So did you ever state that you believed you
15 felt Mr. Bolt was faking?

16 A. No. I stated that I was concerned that he may
17 be taking some medicine that was causing the condition.

18 Q. Would you have referred to that as a fictitious
19 condition?

20 A. Probably wouldn't have used that word in front
21 of him, wouldn't have used "faking it" either.

22 Q. In front of Jana Nicholson?

23 A. I don't recall being in the room with her when
24 I examined Mr. Bolt.

25 Q. So you don't recall her handing you an EKG

Page 241

1 printout with concerns that she had about it circled?

2 A. No.

3 Q. Was Jana Nicholson qualified to read an EKG
4 printout?

5 A. No.

6 Q. She wasn't certified to do that?

7 A. Maybe at an EMT level, but not at the physician
8 level.

9 Q. Well, obviously she wasn't a physician?

10 A. That's correct.

11 Q. Are you aware whether Jana Nicholson had the
12 training to be able to read an EKG?

13 A. No. She was employed as a CMS, and that's not
14 part of CMS duties.

15 Q. Did you ever refer to Tom Hengst as stupid in
16 front of other staff?

17 A. No.

18 Q. Are you sure of that?

19 A. Yes.

20 Q. Did you ever refer to a PHS staff member named
21 Ely about his satellite dishes in his ears, referring to
22 his earrings?

23 A. The name doesn't strike a bell. You're asking
24 about people from five years ago. I think we did have a
25 CMS at one time named Ely, but I don't recall anything

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1 about his appearance.

2 Q. So you just don't recall one way or the other
3 if you made any comment about his appearance?

4 A. I don't even recall his appearance.

5 Q. Did you ever refer to any actions by Tom Hengst
6 as stupid actions in front of other staff?

7 A. I don't recall.

8 Q. Have you referred to any patient as a mother
9 fucker?

10 MR. BUSH: Objection; asked and answered.

11 MR. NAYLOR: I believe I asked if that was
12 appropriate and if he's ever heard anybody doing it. But
13 it doesn't matter.

14 MR. BUSH: He can answer.

15 Q. (BY MR. NAYLOR) Can you answer the question?

16 A. No.

17 Q. I'm sorry. Let's go back to the question and
18 get an answer to it.

19 (The record was read by the reporter.)

20 THE WITNESS: No.

21 MR. NAYLOR: Let's just take a quick break.

22 (Break taken from 2:19 p.m. to 2:40 p.m.)

23 Q. (BY MR. NAYLOR) Dr. Noak, do you recall an
24 incident where Karen Barrett called you on an occasion to
25 consult about a patient who had a bowel obstruction, and

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1 you told her just to go dig it out herself?

2 A. No, I don't recall that.

3 Q. Would that be an appropriate response to her
4 question? Or strike that.

5 Would that be an appropriate instruction by you
6 in that kind of a situation?

7 A. Not those words, no. I mean, that's just for
8 manners. But I've dug out many a bowel in my career, and
9 it's not unusual.

10 Q. So --

11 A. If someone is impacted down in the lower
12 portion of their rectum and you see that on an x-ray, you
13 get some mineral oil and you put on longer gloves and a
14 mask with a couple drops of oil, of wintergreen, and you
15 get to work.

16 Q. So if that wouldn't be the appropriate way to
17 say it, how would you normally have given that kind of
18 instruction?

19 A. I've never given that instruction to anyone
20 else. I've always just done it myself. When I was a
21 resident, if there was an x-ray that showed where it was,
22 the appropriate way to say that would be the best way to
23 deal with this one is to just dig it out.

24 Q. So the instruction to just dig it out yourself
25 would be an appropriate way to instruct a physician's

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1 assistant in that situation?

2 A. No, because that's rude. But saying the best
3 course there is to just dig it out is appropriate.
4 Normally when they were noxious tasks like that that
5 needed to be performed, I did them.

6 Q. Have you ever treated a patient by shaving off
7 a corn on his foot with a scalpel, leaving blood on the
8 scalpel blade, and then using that same scalpel for
9 another patient?

10 A. I recall shaving off a callous, sterilizing the
11 blade with alcohol, and then cleaning my gloves off with
12 alcohol completely and then taking care of another
13 patient.

14 Q. So do you deny that an incident ever occurred
15 where you treated one patient, resulting in blood on your
16 scalpel, that you were offered new gloves and a new
17 blade, and you declined before treating another patient?

18 A. I don't recall being offered new gloves or
19 blade. I'm sorry.

20 Did your -- was that -- I'm sorry. I thought
21 you rolled your eyes.

22 Q. I'm sorry. What?

23 A. I thought you rolled your eyes.

24 Q. No. No. I don't do that.

25 I'm just trying to get you to -- if you didn't

Page 245

1 remember -- well, let's put it this way, Doctor: If that
2 situation happened and you were offered gloves and a new
3 scalpel and you declined that invitation, is that
4 something you would remember?

5 A. No. I mean, there is one time where I treated
6 two patients, but I don't recall being offered further
7 equipment.

8 Q. So it's your testimony in that situation, you
9 cleaned the scalpel with alcohol and your gloves with
10 alcohol?

11 A. Yes.

12 Q. And then you treated another patient with the
13 scalpel and the same gloves?

14 A. Yes.

15 Q. Is that an acceptable medical practice for
16 sterile use of equipment?

17 A. Yes. Alcohol has been used to sterilize
18 equipment for 140 years.

19 Q. Is it your testimony that based on your
20 experience and training, that cleaning rubber gloves that
21 have blood on them with alcohol is a sufficient means of
22 sterilization to, then, use the same rubber gloves to
23 treat another patient?

24 A. Yes. Sterile is sterile.

25 Q. Is it possible that -- well, what would be the

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1 preferred method in that situation where you have rubber
2 gloves that have been contaminated with blood?

3 A. In my clinic where I have adequate supplies, I
4 take the rubber gloves off and I reach into my bin where
5 I have 25 to 40 scalpel blades, and pull out a fresh
6 scalpel handle and go that route.

7 Q. While you were --

8 A. At this place that we were at when this
9 happened, this wasn't a medical facility. It was a
10 woodworking shop that we were in very temporarily
11 between -- someone decided to tear down the former
12 medical facility before moving into the new medical
13 facility, and things were in quite a disarray. And
14 oftentimes, staff couldn't find things that I asked for.

15 Q. So we're still talking about a time period when
16 you were employed by PHS?

17 A. Correct.

18 Q. What facility was under construction at the
19 time?

20 A. They hadn't even started it at that -- when
21 they moved us to this place.

22 Q. What facility are we talking about?

23 A. I worked at three facilities.

24 Q. That's why I need to --

25 A. SICI, the first one was a dedicated medical

1 clinic.

2 Q. Doctor, I'm just asking you, because there are
3 several facilities, which one are you talking about?

4 A. SICI.

5 Q. Okay. So SICI was in a temporary location at
6 the time of this incident?

7 A. Yes.

8 Q. Okay. So you do remember this particular
9 incident?

10 A. No, not that clearly. Just have an impression
11 of it. If you would, please get me the charts, I'd be
12 happy to review them.

13 Q. Well, you remember where it happened, you
14 remember that it was a callous, not a corn. It was on
15 the foot of a patient. And then you went to treat
16 another patient. And you recall that you were never
17 offered new gloves or a new blade, correct?

18 A. That's my recollection.

19 Q. Do you remember who was assisting you at the
20 time?

21 A. No.

22 Q. Do you remember the patient?

23 A. No.

24 Q. If you had treated the subsequent patient
25 without sterilizing the scalpel or your rubber gloves

1 with alcohol, would that have been substandard care and
2 treatment?

3 A. I didn't do that.

4 Q. That's not the question.

5 A. Yeah, if you don't clean, sterilize things,
6 that's not good.

7 Q. In fact, it's unprofessional, is it?

8 A. It's not standard practice.

9 Q. It's medically dangerous, isn't it?

10 A. It can be.

11 Q. Do you recall scheduling clinic at 9:00 and
12 coming in at 11:00 saying that you'd been duck hunting
13 and needed to put your ducks someplace and that's why you
14 were late to clinic?

15 A. I don't recall that.

16 Q. Do you deny that happening?

17 A. I don't recall.

18 Q. You just don't remember?

19 A. I don't remember. I don't recall. I don't
20 remember.

21 Q. Who is Lisa Mays?

22 A. She was an RN at SICI for a short period of
23 time.

24 Q. Do you recall an occasion where she was
25 concerned that you would not allow a patient with a

1 severe leg burn to receive inpatient treatment or regular
2 dressing changes?

3 A. I don't recall that at all.

4 Q. Could that have happened?

5 A. I don't recall. That's not something that -- I
6 need the chart to see what was the extent of the burn,
7 what was necessary. I've treated many, many burn
8 patients in my career. And this is just in general.
9 From that I know which ones need inpatient care and which
10 ones don't. But I don't recall that incidence. If you
11 have a chart, I'd be happy to review it for you.

12 Q. Do you recall learning that Lisa Mays had
13 reported her concerns to Lee Harrington?

14 A. No.

15 Q. And do you recall whether you confronted her
16 angrily for going over your head to Mr. Harrington?

17 A. No. That wouldn't be going over my head.

18 Q. Who is your supervisor?

19 A. For her to complain, she goes to Mr. Harrington
20 at that time.

21 Q. So you deny ever angrily telling Lisa Mays that
22 you were upset that she'd gone to Lee Harrington?

23 A. That didn't happen. I do deny it.

24 Q. Do my questions relating to her speaking to
25 Mr. Harrington refresh your recollection about this

1 particular patient with the severe burn?

2 A. No.

3 Q. Okay.

4 A. But if you have the chart, that would refresh
5 my memory quite well.

6 Q. Well, would you have charted that Lisa Mays
7 complained to Mr. Harrington?

8 A. If I had treated a patient with that, that
9 would refresh my memory about what the treatment was.

10 And I don't recall Mr. Harrington mentioning to me
11 anything about Ms. Mays complaining about a burn patient.

12 Q. Let me hand you a copy of the complaint you
13 filed in this case on December 15th, 2006, just to assist
14 you in some questions I'll ask you.

15 Would you turn to page 8 of the complaint. No,
16 I'm sorry, let's go back. Let's start on page 4.

17 Do you recall an -- a patient by the name of
18 Norma Hernandez?

19 A. Yes, I do.

20 Q. When did you first learn about a medical need
21 of Norma Hernandez?

22 A. I received a telephone call from Karen Barrett,
23 PA.

24 Q. Do you remember the date?

25 A. I think it was a Tuesday.

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1 Q. Well, let's see.

2 A. It was two or three days before I examined
3 Ms. Hernandez.

4 (Deposition Exhibit No. 16 was marked.)

5 Q. (BY MR. NAYLOR) I've handed you Exhibit 16.
6 I'll represent to you that this is a calendar year for
7 year 2004 off the Internet just to assist in your
8 testimony today.

9 A. Off the record for a minute.

10 (Discussion held off the record.)

11 Q. (BY MR. NAYLOR) So you were contacted by Karen
12 Barrett.

13 What did Karen Barrett tell you on Tuesday?

14 And when would that have been? Would that be January
15 27th, 2004, that week?

16 A. I believe so. I don't know for sure, but I
17 believe so. Phone records would show that.

18 (Deposition Exhibit No. 17 was marked.)

19 Q. (BY MR. NAYLOR) I'll hand you Exhibit 17. Do
20 you recognize that? Does Exhibit 17 contain any of your
21 notes?

22 A. Yes.

23 Q. Does that orient you to when you would have
24 received this telephone call from Karen Barrett?

25 A. I think the 27th.

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26 (Pages 251 to 252)

EXHIBIT

001055

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

JOHN F. NOAK, M.D.,)
Plaintiff,)

vs.) Case No. CV OC 0623517

PRISON HEALTH SERVICES,)
INC., a subsidiary of)
AMERICAN SERVICES GROUP,)
INC.; IDAHO DEPARTMENT)
OF CORRECTION,)
RICHARD D. HAAS, and)
DOES 1-10,)
Defendants)

DEPOSITION OF KAREN BARRETT
JANUARY 28, 2009

REPORTED BY:
BARBARA BURKE, CSR No. 463

Notary Public

1 THE DEPOSITION OF KAREN BARRETT was taken
2 on behalf of the Plaintiff at the office of
3 Naylor & Hales, PC, 950 West Bannock, Suite 610,
4 Boise, Idaho, commencing at 9:00 a.m. on January 28,
5 2009, before Barbara Burke, Certified Shorthand
6 Reporter and Notary Public with and for the State
7 of Idaho in the above-entitled matter.

8 A P P E A R A N C E S

9 For the Plaintiff:

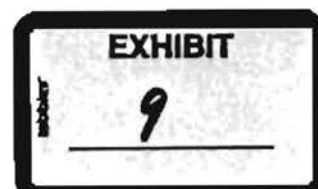
10 Comstock & Bush
11 By JOHN A. BUSH
12 199 North Capitol Boulevard, Suite 500
13 P.O. Box 2774
14 Boise, ID 83701-2774

15 For the Defendant Idaho Department of Correction:

16 Office of the Attorney General
17 By EMILY A. MAC MASTER
18 954 West Jefferson - 2nd Floor
19 P.O. Box 83720
20 Boise, ID 83720-0010

21 For the Defendant Prison Health Services:

22 Naylor & Hales, P.C.
23 By KIRTLAN G. NAYLOR
24 950 West Bannock, Suite 610
25 Boise, ID 83702



Page 2

1 facility, did you have an impression one way or
2 the other as to whether Janna Nicholson was
3 already upset with him for whatever reason?

4 MR. NAYLOR: Object to the form of the
5 question. It calls for speculation.

6 Q. (BY MR. BUSH) You may answer.

7 A. I would say that she was concerned and
8 really wanted Dr. Noak's assessment in place.

9 Q. Did you form an impression one way or
10 the other as to whether or not she was upset or
11 angry with Dr. Noak before he came in that day?

12 A. No.

13 Q. Prior to January 30th, did you ever
14 call Dr. Noak regarding Inmate Hernandez?

15 A. I would say I probably did because
16 before I would refer someone out to a hospital or
17 something, I would have Dr. Noak review the case
18 and make a recommendation, but I can't swear to
19 the time that that transpired.

20 Q. Why do you use referring someone to a
21 hospital as an example?

22 A. Well, because being the supervising
23 physician and stuff, it's fair to say that your
24 supervising physician would need to know if
25 you're planning on sending someone into the

Page 71

1 hospital or not, unless it was, you know, a dire
2 emergency.

3 Q. Did you send Ms. Hernandez to the
4 hospital?

5 A. Dr. Noak sent Ms. Hernandez to the
6 hospital.

7 Q. I know, but was that on your
8 recommendation?

9 A. It was my recommendation that he see
10 her and assess her, yes.

11 Q. And I don't want to -- I want to make
12 sure that we're not getting confused, so let me
13 back up a little bit.

14 Let's just talk about in the several
15 days prior to January 30th, do you remember
16 having a conversation with Dr. Noak about
17 Inmate Hernandez.

18 A. I do not remember.

19 Q. Okay. And had you had a conversation,
20 whether by phone call or some other type of
21 situation where you were either asking for him to
22 come assess or reporting your assessment of her,
23 whatever it maybe, that would be something that
24 should be charted; correct?

25 A. I don't know if that would be in the

Page 72

1 chart. I'm sure somewhere in the chart --

2 well, somewhere in the chart there should be

3 documentation that I requested Dr. Noak's

4 follow-up.

5 Q. Okay. You mentioned that at some point

6 you had the impression, I guess, that Janna felt

7 compelled to report what had happened, and you

8 know that at some point she met with

9 Lieutenant Presley.

10 I guess my question is after January 30th

11 on how many occasions, if any, did you sit down

12 and talk with Janna Nicholson about what had

13 happened?

14 A. I don't recall how many times I spoke

15 with her after the fact.

16 Q. Was it more than -- was there "a time"?

17 A. There may have been a time when we were

18 notified that Dr. Noak would not be allowed on

19 the compound anymore.

20 Q. What, if anything, do you remember

21 about that?

22 A. Nothing, other than he won't be seeing

23 patients at South Boise anymore.

24 Q. And I know there was the meeting that

25 you had with Andy and Mr. Dull. Other than those

Page 73

1 two instances, do you have an independent recall

2 meeting and discussing with her what had occurred --

3 and I'll clarify such that you could, you know,

4 tell me what you talked about and what she said

5 to you?

6 A. I remember a phone call -- and I don't

7 know if it was at work -- I think it probably was

8 at work -- where she was debating whether she was

9 going to file charges against Dr. Noak.

10 Q. Did she make the phone call to you?

11 A. Yes.

12 Q. Okay. And do you remember what she

13 said, other than just the general nature of the

14 conversation?

15 A. No, I don't.

16 Q. Do you remember saying anything to her

17 one way or the other?

18 A. No.

19 Q. Do you remember when the conversation

20 occurred?

21 A. No.

22 Q. Did it occur after Dr. Noak had been

23 barred from the facility?

24 A. It was sometime after we met -- or her

25 interview with the detectives.

Page 74

37 (Pages 73 to 74)

1 Q. And it indicates that you briefed
2 Dr. Noak on Ms. Hernandez' condition, and you
3 also brought him the medical chart; is that
4 correct?

5 A. Yes.

6 Q. Prior to that time -- and I gather this
7 is -- do you remember approximately what time
8 that occurred?

9 A. It was later in the afternoon.

10 Q. Okay. I appreciate that the medical
11 chart is probably going to reflect more
12 accurately the time.

13 Assuming that it happened some time
14 later in the afternoon, had you seen Ms. Hernandez
15 earlier that day?

16 A. I do not recall.

17 Q. If you had done an assessment of her
18 earlier that day, that would be in the medical
19 chart; correct?

20 A. Correct.

21 Q. And would you have assessed her in her
22 room or in the medical unit?

23 A. In the medical unit.

24 Q. It would be unusual, would it not be,
25 to do an assessment of an inmate in her room?

Page 33

1 A. Um-hmm (nodding head). Correct.

2 Q. In fact, do you ever remember doing an
3 assessment of Ms. Hernandez in her room?

4 A. I have had to assess patients in their
5 room, but I do not recall if Ms. Hernandez was
6 one of them.

7 Q. If you do an assessment of a patient in
8 their room, would -- again, that's not normal
9 protocol; correct?

10 A. That's correct.

11 Q. And so would it be -- would it be
12 something that you would note in the chart that,
13 because of whatever the condition or circumstance
14 may have been, that the assessment had to take
15 place in the inmate's room?

16 A. I would think it would be in the chart.

17 Q. That would be something that you would
18 probably make note of?

19 A. Correct.

20 Q. The Interview Summary indicates that
21 you retrieved Ms. Hernandez from her room and
22 brought her down to the medical unit for
23 Dr. Noak's examination. Is that what happened?

24 A. Yes.

25 Q. Okay. I'm going to -- let's make sure

Page 34

1 include, if necessary, I assume, pushing a
2 wheelchair?

3 A. Correct.

4 Q. Would it be putting your hands on them
5 and helping them walk?

6 A. If necessary.

7 Q. And in order to determine whether or
8 not it was necessary, how did you do that? Was
9 that a medical judgment that you made?

10 MS. MAC MASTER: Objection to the form
11 of the question.

12 MR. BUSH: What's wrong with the form?

13 MS. MAC MASTER: It calls for
14 speculation. You are not really talking about
15 any particular incident, so --

16 Q. (BY MR. BUSH) Okay. In instances
17 where you would put your hands on an inmate to
18 provide assistance, if necessary, were you making
19 a medical judgment to determine if that was
20 appropriate?

21 A. I suppose I was.

22 Q. So Ms. Hernandez gets to the medical
23 Exam Room. Understanding at this point that you
24 can't recall whether you helped her down, whether
25 she walked down on her own or was brought in a

Page 37

1 wheelchair, but in any event, she ends up in the
2 medical Exam Room; correct?

3 A. Correct.

4 Q. And Dr. Noak is there; correct?

5 A. Yes.

6 Q. And you are there; correct?

7 A. Yes.

8 Q. What is the next thing that you can
9 recall happening?

10 A. Dr. Noak is reviewing the chart, and
11 I'm there standing by. Dr. Noak then proceeds to
12 do his examination.

13 Q. Let me stop you there for a minute.

14 There is an exam table in the room; is
15 that correct?

16 A. Correct.

17 Q. And is that where Ms. Hernandez was
18 when Dr. Noak began his examination of her?

19 A. Yes.

20 Q. Was she sitting on the table?

21 A. Yes.

22 Q. Was she lying down on the table?

23 A. She was sitting.

24 Q. And while you were there, do you recall
25 at any point in time that she laid down on the

Page 38

1 table?

2 A. No.

3 Q. Do you recall how she got on the table?

4 A. Stepped up on the table.

5 Q. Okay. My point is, did you have to
6 help her onto the table, was she able to do that
7 on her own, or do you remember?

8 A. I don't.

9 Q. Now, according to the Interview Summary,
10 it looks as if you were in the room -- and I want
11 to clarify this because if you look at paragraph 3
12 of the Interview Summary, it indicates that you
13 remained in the room while Dr. Noak completed his
14 assessment on Hernandez. Then the next sentence
15 says, towards the end of the assessment, you left
16 the room.

17 So I'm not clear on whether you were
18 there the entire time until he completed his
19 assessment or whether he was still assessing her
20 and then you left the room.

21 A. I was there long enough to determine
22 that he had pretty much completed his assessment,
23 at which time Ms. Nichols (sic) came in and I
24 went back to my room.

25 Q. Okay. And so again "assessment" being,

Page 39

1 you know, a medical term of art, if you will,

2 I want to talk to you about what that word means
3 to you and what you were observing.

4 Dr. Noak did a physical assessment of
5 Ms. Hernandez; correct?

6 A. Correct.

7 Q. And he did that which you witnessed and
8 saw; correct?

9 A. Correct.

10 Q. And that assessment included putting
11 his hands on Ms. Hernandez; correct?

12 A. Yes.

13 Q. And what else did he do that you can
14 recall?

15 A. Prior to the assessment, he reviewed
16 her medical records.

17 Then, you know, the latter part I left
18 the room to go back to my office.

19 Q. Okay. But he did a physical exam which
20 you saw?

21 A. Um-hmm (nodding head). Yes.

22 Q. At the time that you left, was he done
23 with his physical assessment and had he moved
24 back over to where the medical chart was, or was
25 he still standing by or near Inmate Hernandez?

Page 40

20 (Pages 39 to 40)

1 A. As I recall, he moved back to where her
2 chart was.

3 Q. Do you recall whether he was standing
4 up or sitting down when you left?

5 A. Sitting down.

6 Q. So when you left, at least up to that
7 point in time, he completed his physical
8 assessment of the patient?

9 A. Yes, I believe he did.

10 Q. And then Janna Nicholson came in; is
11 that right?

12 A. Yes.

13 Q. And you left?

14 A. Yes.

15 Q. When you left, was Norma Hernandez
16 sitting down or lying down on the table?

17 A. She was still sitting, as I recall.

18 Q. Do you recall where on the table she
19 was sitting?

20 A. Towards the end of it. There's a
21 stepping stool, and then they step up and they
22 sit on the end of the table.

23 Q. Okay. If you go to the third page of
24 the Interview Summary, paragraph 16, it indicates
25 that Detective Lukasik asked you if Dr. Noak had

1 made any comments to Ms. Hernandez during the
2 actual assessment, and you indicated that Dr. Noak
3 made no comments to either you or Ms. Hernandez?

4 A. That's correct.

5 Q. Is that what your recollection is today?

6 A. Yes.

7 Q. During the period of time that you were
8 in the Exam Room with Dr. Noak and Inmate Hernandez,
9 did you hear him say anything?

10 A. No, not that I recall.

11 Q. How long were the three of you in the
12 room together, if you can remember?

13 A. The three of us? You mean, Jan and Dr. --

14 Q. No. Fair enough. I'm sorry.

15 The "three of you" being Dr. Noak,
16 Ms. Hernandez, and yourself.

17 A. Ten minutes.

18 Q. Okay. And if I understand correctly,
19 Dr. Noak was already in the Exam Room when you
20 brought the patient in?

21 A. Yes.

22 Q. And for that period of time, there was
23 no time when Inmate Hernandez was left alone with
24 Dr. Noak, at least while you were present?

25 A. That's correct.

1 you were in your office doing whatever you were
2 doing, did you hear anything from the Exam Room?

3 A. No.

4 Q. Could you hear -- if there had been
5 discussion going on next door in the Exam Room,
6 would it be something that you could hear?

7 A. Probably not, unless it was very loud.

8 Q. Okay. So if you had a patient screaming,
9 "That really hurts, Doctor. Don't stick that
10 needle in me," you might hear that?

11 A. I might hear that.

12 Q. But if the doctor were just having a
13 conversation with a nurse or the patient in a
14 normal tone, you might not hear that?

15 A. No.

16 Q. Okay. Now, the Interview Summary states
17 that you saw Janna Nicholson and Ms. Hernandez
18 standing at the entrance to the Medical Room. Is
19 that correct -- is that accurate, based on what
20 your recollection is today?

21 A. Somewhere in that vicinity --

22 Q. Okay.

23 A. -- as if they were exiting the
24 Exam Room.

25 Q. Okay. And do you recall whether they

Page 45

1 had passed beyond the doorway and were in the
2 hallway or --

3 A. They were in the hallway.

4 Q. Okay. But still, basically, in front
5 of the doorway?

6 A. I think they had advanced past the
7 doorway, as I recall.

8 Q. Okay. And were they facing you? In
9 other words, I'm assuming you are coming out of
10 your office, and you're going to be either turned
11 towards the Control Room or somehow looking down
12 that way?

13 A. As I recall, Janna may have been facing
14 me, but she was positioning Ms. Hernandez up
15 against the wall.

16 Q. Okay. And which wall?

17 A. The left wall in between the Exam Room
18 and my office.

19 Q. Okay. And when you say, "positioning,"
20 what do you mean?

21 A. She was positioning her such as she
22 could use the wall as a brace or a means to be
23 lowered to the ground if she were -- as if she
24 were going to faint or have a syncopal episode.

25 Q. Okay. And you're talking about "she"

Page 46

1 using the wall as being Inmate Hernandez?

2 A. Yes.

3 Q. Okay. Did Janna Nicholson have her --

4 was she touching Inmate Hernandez?

5 A. Yes.

6 Q. Okay. And where?

7 A. On the upper part of her torso.

8 Q. Which side?

9 A. Probably her right side.

10 Q. Do you remember?

11 A. Not for sure.

12 Q. Did she have one or two hands on her?

13 A. I can't tell you for sure.

14 Q. Do you know if Norma Hernandez, any
15 part of Norma Hernandez' body, was touching the
16 wall?

17 A. I don't know.

18 Q. In paragraph 4 of the Interview Summary
19 it indicates that "Janna Nicholson was asking
20 Hernandez if Hernandez was okay." Do you remember
21 hearing any conversation or any comments by --
22 specifically by Ms. Nicholson?

23 A. No.

24 Q. Okay. Do you remember any specific
25 comments from Ms. Hernandez?

Page 47

1 A. No.

2 Q. Do you remember whether there was a
3 wheelchair in the hallway anywhere?

4 A. No.

5 Q. Do you remember or can you describe
6 what Ms. Hernandez looked like?

7 A. As I remember, she kind of had her head
8 down. She was still conscious, just feeling like
9 she -- or looking like she wanted to sit down.

10 Q. Did you ever see her lips move or anything
11 that would indicate to you she was talking to
12 Ms. Nicholson?

13 A. No.

14 Q. Did you hear anything that she said?

15 A. Not that I recall.

16 Q. Did you ever touch her?

17 A. No.

18 Q. In the Interview Summary -- and you can
19 go to the second page. In paragraph 5 it says
20 that you indicated that you had just about reached
21 the position of Ms. Nicholson and Inmate Hernandez
22 in order to assist. Is that accurate?

23 A. Yes.

24 Q. Okay. So had you determined that some
25 assistance was necessary?

Page 48

24 (Pages 47 to 48)
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1 A. I think it was a spontaneous reaction.
2 If I sense that a patient was going to fall down,
3 sit down, or needed assistance, it was a
4 spontaneous reaction to move in.

5 Q. Okay. That's part of your medical
6 training, is it not?

7 A. Correct.

8 Q. Then it says that as you were just
9 about -- let me ask you this:

10 You said you "just about reached the
11 position of Janna and Hernandez in order to
12 assist." How close were you at that point?

13 A. Two feet.

14 Q. At that point in time, could you tell
15 whether or not any part of Ms. Hernandez' body
16 was touching the wall?

17 A. I could not swear that it was touching
18 the wall.

19 Q. Okay. Had she started to slide down?

20 A. Yes.

21 Q. And she was being assisted at that
22 point by Ms. Nicholson?

23 A. Yes.

24 Q. And Ms. Nicholson was still on her
25 right, as you recall?

Page 49

1 A. As I recall.

2 Q. And where were you in relation to
3 Ms. Hernandez' body?

4 A. I would have been coming out of my
5 office, so I would have been moving in towards
6 the left side of her.

7 Q. Okay. So you weren't in front of her
8 or directly in front of her or anything like
9 that?

10 A. No.

11 Q. Okay. Then the statement indicates
12 that you heard a slam in the Medical Room?

13 A. Yes.

14 Q. Okay. And did you know what that was?

15 A. No.

16 Q. Up to that point, had you heard any
17 noises whatsoever from the Medical Room from the
18 time that you had left and gone to your office
19 until you were standing at or near Ms. Hernandez
20 and Ms. Nicholson?

21 A. No.

22 Q. Then you heard Dr. Noak state from the
23 Medical Room, "She can walk"?

24 A. Yes.

25 Q. Okay. Those were the first words that

Page 50

1 you had heard from Dr. Noak since, frankly, from
2 the time that Ms. Hernandez had presented into
3 the Exam Room; is that correct?

4 A. Yes.

5 Q. Okay. Then if I read paragraph 6
6 correctly, your recollection is that Dr. Noak
7 immediately after you heard -- or after he made
8 the statement, "She can walk," that he immediately
9 came out, inserted himself between Ms. Nicholson
10 and Inmate Hernandez, and that he grabbed Hernandez
11 by the arm and briskly took her back to her room?

12 A. Correct.

13 Q. I think at some point later you were
14 asked to describe how he inserted himself -- if
15 you go to page 3, paragraph 15 of the statement --
16 you indicate, at least according to the Interview
17 Summary that, "It was one swift fluid movement,
18 and Janna Nicholson was out of place and Dr. Noak
19 was in Nicholson's place." Is that how you
20 remember it?

21 A. That's how I remember it.

22 Q. So it all happened very, very fast?

23 A. Yes.

24 Q. Is it your impression that after this
25 one fluid movement where Janna is out of place

1 and he's in place, that he is basically then
2 walking down the hall with Inmate Hernandez?

3 A. Correct.

4 Q. Did you watch them walk all the way
5 down?

6 A. I believe, for the most, part I did.
7 I was -- my attention was diverted between Janna
8 and patient Hernandez.

9 Q. I'm trying to get a sense as to what
10 that means because you -- you're in a position
11 where you're closer to the wall on what would
12 have been apparently the left-hand side of
13 Ms. Hernandez; correct?

14 A. (Nodding head).

15 Q. And then this happens. They're walking
16 down the hall. Are you having to turn your head
17 to watch both Janna and Inmate Hernandez?

18 A. I was -- I remember being surprised at
19 the whole maneuver. My concern was what was
20 going on with Ms. Hernandez, going one direction
21 and then Janna who was visibly upset over here.

22 So, yes, my attention was here and watching
23 Ms. Hernandez both (gesturing).

24 Q. Okay. And when you say Janna being
25 visibly upset, how would you describe that?

1 What made it appear to you that she was visibly
2 upset? Let me ask first:

3 Did she verbalize anything?

4 A. Yes.

5 Q. What did she say?

6 A. After she moved away from the incident,
7 that she appeared to be shocked. I remember her
8 putting her hands up and saying, "I quit."

9 Q. Okay. And when you say, "After she
10 moved away from the incident," what do you mean?

11 A. Stepped aside. So did I, I stepped back.

12 Q. Okay. So she stepped back and you
13 stepped back?

14 A. I don't -- I stepped back. I don't
15 know if she stepped back or was pushed back.
16 I don't know.

17 Q. Okay. Which way was she -- when you
18 say, "She had her hands up in the air," where was
19 her back pointed?

20 A. Her back was pointed in the direction
21 of Dr. Noak.

22 Q. So she had her back to Dr. Noak?

23 A. Yes.

24 Q. Okay. And at that point in time, where
25 was Dr. Noak?

Page 53

1 A. Probably midway down the hall to
2 Ms. Hernandez' room.

3 Q. Okay. And where were you in relation
4 to Janna? You had stepped back -- I assume you
5 stepped back towards your office?

6 A. I was probably just stepping more
7 towards the center of the hall, and Janna had
8 moved more towards the nursing station.

9 Q. Dr. Noak, given your position at the
10 time that he inserted himself into this, he would
11 had to have walked by you; correct?

12 A. Not necessarily.

13 Q. Okay. So was there some point in time
14 that you got yourself to a position that was
15 either even with or on the other side of Janna
16 and Inmate Hernandez?

17 A. As I recall, as I was coming out of the
18 room and moving towards Ms. Hernandez, Dr. Noak
19 had already stepped out of the Exam Room and was
20 in motion with Ms. Hernandez, and I stepped
21 towards the center of the hallway out of their
22 way.

23 MR. BUSH: Can you read that back,
24 please.

25 (Record read by the Reporter).

Page 54

1 were your observations of her, other than
2 noticing that she was visibly upset?

3 A. It appeared that she was repositioning
4 herself as if she were trying to orient herself
5 as to what had just happened.

6 Q. When you say, "reposition herself,"
7 what do you mean?

8 A. She was in position to help Ms. Hernandez
9 when he was -- when Dr. Noak inserted himself, it
10 appeared she was off balance or her position had
11 changed such that she was thrown back a little
12 bit.

13 Q. In the statement that you talk about --
14 Dr. Noak stated that, "She can walk," and then
15 immediately thereafter he's coming out of the
16 procedure room --

17 A. Yes.

18 Q. -- how much time transpired in that
19 little -- from when you heard the statement until
20 when he inserted himself?

21 A. 10 or 15 seconds. It was fast.

22 Q. How much time had transpired from the
23 time that you came out of your office to the time
24 that he came out of his office before you
25 actually saw him come out of his office?

Page 61

1 A. Ten seconds.

2 MR. BUSH: Okay. Why don't we take a
3 break.

4 (Recess taken).

5 MR. BUSH: Back on the record.

6 Q. (BY MR. BUSH) Ms. Barrett, during the
7 break I was thinking about your testimony, and
8 what I'm trying to -- if I remember correctly,
9 and tell me if this isn't accurate, please --

10 it seems that from the time that you came out of
11 your office until the time that you went back to
12 your office and Ms. Nicholson had gone back to
13 hers, it all transpired in a couple of minutes.

14 A. It was very -- yes. It was very fast.
15 Everything was fast, it seemed like.

16 Q. Do you think that's accurate, that
17 within -- I think one time you said two minutes,
18 but --

19 A. Less than two minutes.

20 Q. From the time you came out of your
21 office until the time you were back in your
22 office?

23 A. Yes.

24 Q. Okay. During that period of time, did
25 you hear Norma Hernandez say anything?

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1 Q. Okay. Did she -- and to be fair, I
2 know that this is a long time ago, but is it your
3 impression as you sit here today that it was
4 after the meeting with Lieutenant Presley that
5 she later then said, "We're not going to allow
6 Dr. Noak back into the facility"?

7 A. That is my impression.

8 Q. Did anybody ever tell you that he had
9 been excluded from the facility as of the evening
10 of January 30th, 2004?

11 A. No.

12 Q. Any other meetings that you can recall
13 with Lieutenant Presley?

14 A. No.

15 Q. Okay. Before I get back into the
16 statement, I want to make sure I at least have
17 exhausted your recollection about meeting with
18 people.

19 You met with Lieutenant Presley on the
20 2nd of February 2004, you had a meeting with
21 Detective Lukasik and Mr. Wolf, there was the
22 meeting in your office, and then there's a
23 meeting with Syd Heyrend.

24 Does that fairly summarize everything
25 you can remember about who you specifically met

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1 with and talked to about the incident?

2 A. Yes.

3 Q. Okay. As best you can, tell me what
4 you understood Lieutenant Presley's request was
5 to you in terms of documenting your observations
6 on the 30th; in other words, what did you
7 understand she wanted when you created Exhibit
8 No. 1?

9 A. Well, I understood it to be that she
10 was documenting verbally and in writing what had
11 transpired.

12 Q. Okay. Was there any limitation placed
13 on you by her as to the length of the statement,
14 or how in-depth she wanted it to be, or anything
15 of that nature?

16 A. No.

17 Q. You didn't have a computer -- I think
18 you mentioned you didn't have a computer?

19 A. Well, not in my office.

20 Q. So how was this generated?

21 A. Probably by her computer.

22 Q. Okay. So did you do it in her office
23 while she was there?

24 A. I do not recall her typing this up
25 during our conversation.

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1 Q. That's a good point because I may have
2 misunderstood. Did you type this up?

3 A. No.

4 Q. So do you think Lieutenant Presley
5 typed it up?

6 MS. MAC MASTER: Objection to the form.

7 THE WITNESS: I don't know who typed
8 it up.

9 Q. (BY MR. BUSH) Do you know who typed
10 it up?

11 A. I don't know who typed it up.

12 Q. Do you know who gave it to you?

13 A. No. I'm assuming -- it's an assumption
14 that Lieutenant Presley did, but --

15 Q. Okay.

16 MS. MAC MASTER: I'm going to make an
17 objection and move to strike just to the extent
18 that the testimony is speculation.

19 Q. (BY MR. BUSH) Do you remember if you
20 reviewed this before you signed it?

21 A. Oh, yes.

22 Q. Okay. And at the time that you signed
23 it after you reviewed it, did you believe it to
24 be accurate?

25 A. Yes.

1 Q. Okay. I think I asked you this, but
2 you don't remember who gave it to you -- or do
3 you?

4 A. No, I don't.

5 Q. Do you remember where you were when you
6 signed the document?

7 A. No. I don't even have a copy of this
8 in my file.

9 Q. Do you have a separate file of anything
10 personally -- do you personally have a file of
11 anything relating to this incident, Dr. Noak and
12 the termination -- if it's the Complaint and all
13 that, I don't really care, but --

14 A. Only the charges and the 70-some page
15 lawsuit that he filed. I kept that in the file.

16 Q. Okay. But do you have any personal
17 notes, memoranda, anything of that nature that is
18 concurrent in time when all this was going on --

19 A. No.

20 Q. Okay. One of things in the statement
21 that you write is you saw Dr. Noak take the arm
22 of Hernandez and escort her down the hall?

23 A. Correct.

24 Q. Do you remember which arm he took?

25 A. The right.

EXHIBIT

001071

1 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL
2 DISTRICT OF THE STATE OF IDAHO,
3 IN AND FOR THE COUNTY OF ADA
4 JOHN F. NOAK, M.D.)
5 PLAINTIFF,)
6 vs) Case No. CV OC 0623517
7 PRISON HEALTH SERVICES,)
8 INC., a subsidiary of)
9 AMERICAN SERVICES GROUP,)
10 INC.; IDAHO DEPARTMENT OF
11 CORECTIONS, RICHARD D.)
12 HAAS; and DOES 1-10,)
13 DEFENDANTS)
14 _____)

15
16 VIDEOTAPE DEPOSITION OF NORMA HERNANDEZ,
17 MAY 7, 2009

18
19 REPORTED BY:

20 RODNEY FELSHAW, C.S.R. No. SRT-99

21 Notary Public
22
23
24
25

Page 1

1 THE VIDEOTAPED DEPOSITION OF NORMA
2 HERNANDEZ was taken on behalf of the Plaintiff at
3 the Pocatello Women's Correctional Center, 1451
4 Fore Road, Pocatello, Idaho, commencing at 12.00
5 p.m. on May 7, 2009, before Rodney Felshaw, a
6 certified Shorthand Reporter and Notary Public
7 within and for the State of Idaho, in the
8 above-entitled matter.

9 APPEARANCES

10 For the Plaintiff

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21 Boise, ID 83702
22
23
24
25

EXHIBIT

10

Page 2

2:40:44 1 MS. MAC MASTER: Objection to the form of
2:40:45 2 the question.
2:40:48 3 Q. (BY MR. BUSH) When you -- do you
2:40:54 4 remember how you were advised that PA Barrett
2:40:56 5 wanted to see you on the same day that you saw Dr.
2:40:59 6 Noak?
2:41:00 7 A. I don't recollect.
2:41:01 8 Q. Okay. But you do recollect that you
2:41:03 9 were taken down to the exam room in a wheelchair?
2:41:07 10 A. Yes.
2:41:08 11 Q Do you recall who was pushing the
2:41:09 12 wheelchair?
2:41:10 13 A. I don't.
2:41:11 14 Q. Who typically would push the
2:41:12 15 wheelchair?
2:41:13 16 A. One of the nurses.
2:41:19 17 Q And do you have an understanding as to
2:41:22 18 why you were being taken from your cell to the
2:41:27 19 exam room in a wheelchair?
2:41:32 20 A. When I was going to see Karen Barrett?
2:41:34 21 Q Well, just during this period of time
2:41:36 22 that we're talking about, why were they
2:41:38 23 transporting you in a wheelchair?
2:41:40 24 A Because I had to get IV fluids put in
2:41:43 25 me and stuff. Just for whatever reason. Because:

12:41:47 1 my back was hurting really bad or just to be seen
12:41:52 2 just for medical treatment.
12:41:53 3 Q. Okay. Were you capable of walking?
12:41:56 4 A. No. It hurt really bad.
12:42:08 5 Q. So after you see doctor -- excuse me,
12:42:11 6 PA Barrett, they returned you to your room using a
12:42:15 7 wheelchair, correct?
12:42:16 8 A. Correct.
12:42:17 9 Q. And do you know who was pushing the
12:42:18 10 wheelchair at that time?
12:42:20 11 A. No. To the best of my knowledge, it
12:42:22 12 could have been Ms. Nicholson.
12:42:24 13 Q. Okay. And then there is a period of
12:42:27 14 time that lapses before you see Dr. Noak?
12:42:31 15 A. Not much.
12:42:31 16 Q. Okay. What's not much?
12:42:33 17 A. Just not much.
12:42:35 18 Q. Minutes, hours?
12:42:36 19 A. I don't know. Probably under an hour.
12:42:38 20 Q. Okay. So somebody, I gather, comes to
12:42:41 21 your room and says we need to have you come down
12:42:44 22 and see Dr. Noak?
12:42:45 23 A. Yes.
12:42:45 24 Q. And you were taken in a wheelchair?
12:42:49 25 A. Yes.

2 42:49 1 Q. And who was pushing the wheelchair?

2 42:51 2 A. I'm not sure.

2 42:52 3 Q. Who was the one that told you that Dr.

2 42:54 4 Noak was there to see you?

2 42:56 5 A. I'm not sure which nurse it was.

2 42:58 6 Q. Okay. Are there -- strike that. So

2 43:04 7 what do you remember -- what's the first thing

2 43:08 8 that you remember after you are -- they take you

2 43:15 9 in a wheelchair and then they take you into the

2 43:18 10 exam room, correct?

2 43:19 11 A. Correct.

2 43:19 12 Q. Okay. And what's the first you

2 43:21 13 remember, what happens next?

2 43:24 14 A. Dr. Noak asked me to sit up on the

2 43:28 15 table, the examining table.

2 43:32 16 Q. Okay. Did you do that?

2 43:34 17 A. Yes.

2 43:35 18 Q. Did do you that with or without

2 43:36 19 assistance?

2 43:37 20 A. With assistance.

2 43:38 21 Q. Who assisted you?

2 43:40 22 A. Janna Nicholson. I think Ms. Barrett

2 43:43 23 helped too.

2 43:43 24 Q. So Janna Nicholson and Ms. Barrett

2 43:46 25 were both in the room?

12:43:48 1 A. I would say just Janna Nicholson

12:43:51 2 probably.

12:43:54 3 Q. So who assisted you onto the exam

12:43:56 4 table?

12:43:56 5 A. Probably Ms. Nicholson.

12:43:58 6 Q. Who was in the room other than you and

12:44:00 7 Dr. Noak and Ms. Nicholson, anybody?

12:44:03 8 A. No. I don't know. To the best of my

12:44:05 9 knowledge it seemed like there was two that had to

12:44:12 10 help me get on the table, but I don't know.

12:44:15 11 Q. So Janna Nicholson put her hands on

12:44:18 12 your body and assisted you onto the exam table?

12:44:20 13 A. Yes.

12:44:20 14 Q. And you were okay with that?

12:44:23 15 A. Yes.

12:44:23 16 Q. What happened next?

12:44:27 17 A. Dr. Noak was asking for some medical

12:44:29 18 papers or something and they couldn't find them.

12:44:38 19 Yeah.

12:44:40 20 Q. Okay. What did Dr. Noak say, do you

12:44:43 21 recall?

12:44:43 22 A. I don't know his exact words.

12:44:45 23 Q. Okay. Can you tell me anything, in

12:44:47 24 terms of your recollection, as to what he

12:44:50 25 specifically said?

2:44:51 1 A. I believe it was something from St.
2:44:52 2 Alphonsus, he wanted the medical records.
2:44:56 3 Q. From the ER visit last night?
2:44:58 4 A. Yes.
2:44:58 5 Q. Did you think that was a reasonable
2:45:00 6 thing for him to want?
2:45:02 7 A. Hmm, I guess.
2:45:09 8 Q. And whom was he asking, if you know,
2:45:12 9 for these medical papers?
2:45:14 10 A. Janna Nicholson.
2:45:16 11 Q. And did she respond to him at all?
2:45:18 12 A. Yes.
2:45:19 13 Q. What did she do?
2:45:20 14 A. She said she would have them faxed.
2:45:22 15 Q. Okay. And did she then leave the
2:45:24 16 room?
2:45:25 17 A. Yes.
2:45:25 18 Q. Okay. So at this point it's you and
2:45:33 19 Dr. Noak in the exam room?
2:45:35 20 A. Yes.
2:45:35 21 Q. Anybody else?
2:45:36 22 A. No.
2:45:37 23 Q. What happens next?
2:45:38 24 A. He starts calling for somebody and
2:45:42 25 he's mad. And he started calling the nurses names

12:45:51 1 and he was very angry. And it seemed like Karen
12:45:57 2 Barrett maybe heard something or -- I don't know.
12:46:02 3 She was standing right in the door.
12:46:10 4 Q. What words did he use?
12:46:13 5 A. He said -- the ones I really remember
12:46:16 6 are invalid, invalid, stupid. If they weren't so
12:46:30 7 stupid they'd already have the stuff. Yeah,
12:46:38 8 that's what he said.
12:46:39 9 Q. So had he started an exam with you at
12:46:42 10 all at this point?
12:46:44 11 A. No.
12:46:44 12 Q. So where was he in the room?
12:46:46 13 A. He was sitting at the desk.
12:46:47 14 Q. And you were on the exam table?
12:46:49 15 A. Yes.
12:46:50 16 Q. What was he doing?
12:46:52 17 A. He was going through the file.
12:46:55 18 Q. Okay.
12:46:56 19 A. My file, I guess.
12:46:57 20 Q. And after Janna Nicholson left, you
12:47:00 21 heard him calling the nurses names?
12:47:04 22 A. Yes.
12:47:04 23 Q. And Karen Barrett was standing at the
12:47:06 24 doorway?
12:47:08 25 A. It seems like she was. It really

2:47:10 1 seems like she -- it's a small room. Where my
2:47:14 2 head would be, the doorway was right there. It
2:47:19 3 couldn't have been no further than that thing
2:47:20 4 right there away from the door where I was. It
2:47:23 5 seems that she's right there.
2:47:26 6 Q. Were you sitting down or lying down or
2:47:29 7 sitting up?
2:47:29 8 A. I was lying down.
2:47:30 9 Q. Were you on your right shoulder or
2:47:32 10 left shoulder?
2:47:35 11 A. My left shoulder, because I would have
2:47:36 12 to be facing the door.
2:47:38 13 Q. Okay. How long was Janna Nicholson
2:47:43 14 gone from the room?
2:47:45 15 A. A few minutes. I can't really
2:47:48 16 remember.
2:47:48 17 Q. Okay. What happened after Dr. Noak
2:47:55 18 started calling the nurses names?
2:48:01 19 A. What happened?
2:48:03 20 Q. Yep.
2:48:04 21 A. Hmm, I called for Ms. Barrett and,
2:48:11 22 hmm, told her I didn't want to be in that room.
2:48:14 23 That I wanted to go back to my room right now. I
2:48:18 24 didn't want no part of being around this man. I
2:48:21 25 don't know who he is, but I don't want to be

12:48:23 1 there.
12:48:28 2 And then it seems like Ms. Nicholson's back
12:48:33 3 and he called her an invalid again. I said I
12:48:39 4 didn't want to be in the room at that point again.
12:48:45 5 She wasn't in there when he was first calling the
12:48:47 6 names. And then she just seemed like they wanted
12:48:59 7 him to check me or something. By this point I
12:49:01 8 don't want him even near me because he's angry and
12:49:05 9 he's -- he wasn't a very nice man.
12:49:13 10 And then I said okay, so he got up and then
12:49:19 11 it's just me and Ms. Nicholson and him. That's
12:49:23 12 when he checks my heart and my ears.
12:49:26 13 Q. Okay. Before we get into that
12:49:28 14 physical exam, I want to stop you for a moment.
12:49:36 15 After you heard Dr. Noak call the nurses names,
12:49:40 16 and the two that you remember are invalid and
12:49:43 17 stupid, your testimony is that you called Karen
12:49:49 18 Barrett and asked her to take you back to your
12:49:53 19 room?
12:49:54 20 A. I don't think I actually called her by
12:49:55 21 name. I just said -- I was just hollering I don't
12:49:59 22 want to be in this room.
12:50:01 23 Q. Okay. And did PA Barrett acknowledge
12:50:05 24 that?
12:50:06 25 A. I don't know.

2:50:09 1 Q. She was standing at the door.
2:50:10 2 Presumably she heard you?
2:50:12 3 A. Yes.
2:50:16 4 Q. And did anybody at that point respond
2:50:19 5 to you by taking you back to your room?
2:50:22 6 A. No.
2:50:22 7 Q. Did Dr. Noak say anything about taking
2:50:24 8 you back to your room?
2:50:26 9 A. No.
2:50:26 10 Q. Did he say anything at all?
2:50:27 11 A. I don't remember what he said, but he
2:50:28 12 did say something. I don't remember what he said.
2:50:32 13 Q. Okay. And then at some point in time
2:50:38 14 Ms. Nicholson comes back into the room?
2:50:40 15 A. Yes.
2:50:41 16 Q. Okay. And you make yet another
2:50:43 17 request to be taken back to your room?
2:50:46 18 A. Yes.
2:50:48 19 Q. And you specifically remember saying I
2:50:50 20 don't want to be seen by this man?
2:50:51 21 A. Yes.
2:50:53 22 Q. And this is before he's examined you?
2:50:55 23 A. Yes.
2:51:05 24 Q. And at that point it's Dr. Noak, Ms.
2:51:10 25 Nicholson, Ms. Barrett and you in the exam room?

12:51:12 1 A. Not Ms. Barrett.
12:51:14 2 Q. Where did she go?
12:51:15 3 A. I don't know.
12:51:16 4 Q. Did she leave after you said I don't
12:51:18 5 want to be seen by this man?
12:51:20 6 A. I don't know where she went.
12:51:21 7 Q. But she left, apparently, after you
12:51:23 8 said that?
12:51:23 9 A. Apparently.
12:51:27 10 Q. Despite that, Dr. Noak did an
12:51:31 11 examination anyway?
12:51:32 12 A. Yes. I agreed to it.
12:51:34 13 Q. Okay. Why did you do that?
12:51:36 14 A. Because maybe I felt like I needed to
12:51:39 15 see the doctor, since he was the doctor and I
12:51:41 16 wasn't feeling well. I'm sure I felt more secure
12:51:45 17 when I had somebody in there with me with him at
12:51:47 18 that point.
12:51:50 19 Q. How long were you in the room with Dr.
12:51:55 20 Noak with nobody else present?
12:52:00 21 A. I don't think I was alone, because it
12:52:02 22 seems like Karen Barrett was standing in the
12:52:04 23 doorway.
12:52:05 24 Q. So your recollection is that you were
12:52:07 25 never really alone with him?

2:52:08 1 A. Right.

2:52:09 2 Q. Okay.

2:52:12 3 A. Well, I was but I wasn't. She wasn't

2:52:13 4 all the way in the room, but she was right there.

2:52:17 5 Q. And she could see what was coming on,

2:52:19 6 as least based on what you could see of her?

2:52:22 7 A. I can't tell you that. I can't tell

2:52:23 8 you something that she was doing. I don't know.

2:52:25 9 Q. I'm not asking whether she did or

2:52:27 10 didn't, but based on where she was positioned that

2:52:29 11 you could see, was it your belief that she could

2:52:32 12 see what was happening in the room?

2:52:34 13 MS. MAC MASTER: Object to the form of the

2:52:35 14 question.

2:52:37 15 Q. (BY MR. BUSH) You may answer.

2:52:39 16 A. I can't say that. I didn't know what

2:52:42 17 she was seeing or not seeing.

2:52:44 18 Q. Was her back turned?

2:52:45 19 A. I couldn't tell you.

2:52:46 20 Q. Could you see her face?

2:52:47 21 A. I don't know.

2:52:47 22 Q. How do you know it was her?

2:52:50 23 A. Because she was the only one there

2:52:51 24 with us at that time.

2:52:56 25 Q. Before Dr. Noak examined you, did

12:52:59 1 either PA Barrett or Ms. Nicholson talk to you

12:53:02 2 about letting you have him examine you?

12:53:06 3 A. Can you break that down?

12:53:07 4 Q. Sure. Did Janna Nicholson or PA

12:53:10 5 Barrett ever talk to you -- you having verbalized

12:53:16 6 I don't want to be seen by this man, did either of

12:53:18 7 those talk to you about letting the examination go

12:53:21 8 forward?

12:53:22 9 A. Hmm, I believe Ms. Nicholson assured

12:53:26 10 me and reassured me that I would be okay. And --

12:53:30 11 Q. Do you remember -- I'm sorry. I

12:53:32 12 didn't mean to interrupt.

12:53:33 13 A. That would be it.

12:53:34 14 Q. Okay. Do you remember her words?

12:53:36 15 A. No, I don't.

12:53:40 16 Q. And so Dr. Noak began an examination?

12:53:45 17 A. Yes.

12:53:45 18 Q. And were you lying down or sitting up?

12:53:49 19 A. I was sitting up.

12:53:51 20 Q. When in the process did you sit up?

12:53:54 21 A. When he told me to.

12:53:55 22 Q. Okay. And were you able to do that

12:53:57 23 with or without assistance?

12:53:59 24 A. With assistance, with Janna, Ms.

12:54:01 25 Nicholson.

2:54:02 1 Q. And so she put her hands on you?
2:54:04 2 A. Yes.
2:54:04 3 Q. And that was okay with you?
2:54:06 4 A. Yes.
2:54:07 5 Q. And what did Dr. Noak do?
2:54:10 6 A. He listened to my heart and looked in
2:54:13 7 my ears. And I don't recall everything that he
2:54:16 8 done. Then that was it.
2:54:19 9 Q. Okay. Anything other than listening
2:54:21 10 to your heart or looking in your ears that you
2:54:23 11 remember him doing?
2:54:25 12 A. I don't remember.
2:54:26 13 Q. Do you remember him asking you to do
2:54:28 14 anything?
2:54:29 15 A. He asked me to breathe deep.
2:54:32 16 Q. Okay.
2:54:33 17 A. I believe so when he was checking my
2:54:34 18 heart.
2:54:35 19 Q. And did you do that?
2:54:36 20 A. Yes.
2:54:37 21 Q. Anything else that you remember him
2:54:41 22 asking you to do?
2:54:42 23 A. No.
2:54:43 24 Q. Anything that you remember Janna
2:54:44 25 asking you to do?

12:54:45 1 A. No. I don't remember.
12:54:55 2 Q. And did Dr. Noak put his hands on you
12:54:58 3 during the examination?
12:54:59 4 A. Yes, he did.
12:55:01 5 Q. Was that okay with you?
12:55:02 6 A. Yes, it was. No, it couldn't have
12:55:07 7 been okay because I didn't want to even be in the
12:55:10 8 room with the guy. Maybe I just did it because I
12:55:12 9 wanted to be healed. I don't know. I know one
12:55:16 10 thing, I know I wasn't sure about him prior to the
12:55:21 11 examination, during the examination.
12:55:24 12 Q. Why were you not sure about him prior
12:55:25 13 to the examination?
12:55:27 14 A. Because I just sat there and witnessed
12:55:29 15 him call nurses names. He was very mean and rude.
12:55:35 16 He didn't -- he had no conscience about it. He
12:55:38 17 just didn't even care who heard him. He just
12:55:45 18 didn't care and it didn't make sense why -- never
12:55:50 19 mine. That's all I have to say about that.
12:55:53 20 Q. And after the examination is over,
12:55:56 21 what happened next?
12:55:58 22 A. I told Ms. Barrett -- or Ms.
12:56:00 23 Nicholson, I wanted out of the room. I said I
12:56:03 24 don't want to be around this man. And he heard
12:56:06 25 me. He said take her back to her room.

16:07:43 1 A. Yes.

16:07:44 2 Q. And that you had feelings where you

16:07:49 3 had dots in front of your eyes and weren't seeing

16:07:52 4 very well; is that correct?

16:07:54 5 A. Correct.

16:07:54 6 Q. You weren't hearing very well; is that

16:07:56 7 correct?

16:07:57 8 A. Correct.

16:07:57 9 Q. You were having trouble medically,

16:07:59 10 weren't you?

16:08:00 11 A. Yes.

16:08:13 12 Q. Do you have any medical training at

16:08:15 13 all?

16:08:15 14 A. No.

16:08:20 15 Q. When Dr. Noak came out and after he

16:08:26 16 got ahold of you, started to escort you down the

16:08:30 17 hall, got you to your room and put you in your

16:08:34 18 room and left, during any point during that period

16:08:38 19 of time did you faint?

16:08:40 20 A. No.

16:08:41 21 Q. At any point after he left you in your

16:08:43 22 room, before you went to bed that night, did you

16:08:46 23 faint?

16:08:46 24 A. No.

16:09:04 25 Q. How long after that did Ms. Nicholson

16:09:10 1 and this other nurse come into your room?

16:09:13 2 A. I don't know. It couldn't have been

16:09:16 3 that long.

16:09:17 4 Q. How long, if you can recall, were Ms.

16:09:20 5 Nicholson and this other nurse in your room?

16:09:23 6 A. Not very long.

16:09:26 7 Q. Long enough for you to tell the story,

16:09:28 8 correct?

16:09:28 9 A. Correct. Well, no. I didn't -- no.

16:09:36 10 Q. Why not? I thought that's what you

16:09:38 11 just said, that they were in there, and your

16:09:40 12 roommate was there, and you vented and told them

16:09:41 13 what had happened?

16:09:44 14 A. Hmm, I didn't mean that Ms. Nicholson

16:09:47 15 and the other nurse was in there. I vented to my

16:09:49 16 roommate.

16:09:50 17 Q. Okay. Well, then I'm not clear,

16:09:52 18 because that's what I just asked you a minute ago

16:09:54 19 and that's what I thought I heard you say to Ms.

16:09:57 20 Mac Master.

16:09:58 21 A. Okay. Maybe I'm just confused. It's

16:10:00 22 been a lot of hours in here.

16:10:01 23 Q. Well, let's see if we can at least get

16:10:04 24 one thing -- see if I can get clear on one thing.

16:10:09 25 After the incident was Ms. Nicholson in your room?

3:00:45 1 From the medical standpoint, you are basically
3:00:49 2 feeling the same as you did going in as you are
3:00:53 3 going out, is that correct?
3:00:57 4 A. When I was leaving the room I was
3:00:58 5 horribly upset.
3:00:59 6 Q. I understand. But I'm talking about
3:01:01 7 the medical conditions that you came down with are
3:01:03 8 the same things you have when you're leaving the
3:01:05 9 room?
3:01:06 10 A. Yes.
3:01:06 11 Q. But now you're upset and are crying?
3:01:08 12 A. Yes.
3:01:08 13 Q. And that's not related to the medical
3:01:10 14 condition, that's because you were upset with Dr.
3:01:13 15 Noak, correct?
3:01:14 16 A. Yes, correct.
3:01:15 17 Q. Okay. And so Ms. Nicholson helps you
3:01:19 18 off of the table; is that correct?
3:01:22 19 A. Yes.
3:01:22 20 Q. And how does she help you off the
3:01:24 21 table?
3:01:24 22 A. She just has ahold of my arm. I'm not
3:01:29 23 exactly somehow how they do it.
3:01:30 24 Q. Which arm?
3:01:31 25 A. My left arm.

13:01:32 1 Q. Okay. And so she's holding your left
13:01:35 2 arm and what does she do next?
13:01:37 3 A. She just helps me down from the table.
13:01:40 4 Q. And then what happens?
13:01:40 5 A. And then we start walking out of the
13:01:42 6 room.
13:01:42 7 Q. Okay. Just the two of you?
13:01:44 8 A. Yeah.
13:01:44 9 Q. Okay. And are you walking back to
13:01:47 10 your wheelchair?
13:01:49 11 A. Hmm, yeah.
13:01:50 12 Q. Where is the wheelchair?
13:01:52 13 A. I don't know. I don't know what
13:01:53 14 happened to the wheelchair. I think they moved it
13:01:55 15 around the corner or something.
13:01:56 16 Q. So do you get out of the exam room?
13:02:00 17 A. Not before Mr. -- they were
13:02:03 18 questioning about the wheelchair. And then Mr. --
13:02:06 19 Dr. Noak, or whatever his name is, said I didn't
13:02:09 20 need it, that I can just walk back to my room.
13:02:13 21 Q. Okay.
13:02:22 22 VIDEOGRAPHER: Excuse me. I need to change
13:02:24 23 tape. Going off the record.
13:02:33 24 (Recess.)
13:08:08 25 VIDEOGRAPHER: Back on the record.

3:08:09 1 Beginning of tape number two.

3:08:13 2 Q. (BY MR. BUSH) Ms. Hernandez, as I

3:08:17 3 understand it, as you are exiting the exam room,

3:08:23 4 being assisted by Ms. Nicholson, Dr. Noak makes a

3:08:27 5 comment that you can walk back to your room, you

3:08:31 6 don't need a wheelchair?

3:08:32 7 A. Yes.

3:08:35 8 Q. And when you were first brought down

3:08:37 9 to the exam room, did they actually bring the

3:08:40 10 wheelchair and you into the room?

3:08:41 11 A. No.

3:08:42 12 Q. Did you walk into the room?

3:08:44 13 A. Yeah.

3:08:45 14 Q. And when you first saw Dr. Noak, was

3:08:49 15 he at his table?

3:08:52 16 A. Yes.

3:08:53 17 Q. And was his back to you or was he

3:08:54 18 looking at you?

3:08:55 19 A. His side was to me. I don't recall if

3:08:58 20 he was looking at me.

3:08:59 21 Q. Do you recall making eye contact with

3:09:01 22 him when you walked into the room?

3:09:02 23 A. No.

3:09:02 24 Q. Do you recall him making eye contact

3:09:04 25 with you?

13:09:05 1 A. No, I don't recall.

13:09:06 2 Q. Did he ever ask you any questions

13:09:07 3 about a wheelchair?

13:09:09 4 A. No.

13:09:19 5 Q. Do you know if he even knew that you

13:09:20 6 were brought down to the exam room in a

13:09:24 7 wheelchair?

13:09:25 8 A. To the best of my knowledge, I don't

13:09:26 9 know.

13:09:30 10 Q. Okay. So after Dr. Noak makes that

13:09:33 11 comment, what happens?

13:09:37 12 A. I'm leaving the exam room with Ms.

13:09:43 13 Nicholson.

13:09:44 14 Q. Okay. Just the two of you?

13:09:46 15 A. Hmm, yes.

13:09:48 16 Q. Where is Ms. Barrett, do you know?

13:09:50 17 A. I have no idea at that point.

13:09:53 18 Q. But she's not assisting you?

13:09:54 19 A. No.

13:09:58 20 Q. And then do you go out into the

13:10:01 21 hallway?

13:10:01 22 A. Yeah.

13:10:02 23 Q. And what happens next?

13:10:03 24 A. I turned because -- coming out of the

13:10:07 25 exam room I turned left and I was up against the

3:10:11 1 wall. And I felt like I was going to faint. The
3:10:17 2 pain was really bad. And Ms. Nicholson had ahold
3:10:22 3 of my right arm. I don't know if she called Karen
3:10:26 4 Barrett or Karen Barrett just showed up, but the
3:10:33 5 next thing I know Ms. Barrett is in front of me
3:10:37 6 and trying to hold me up. I can't remember -- and
3:10:47 7 then -- yeah, that's what was going on.
3:10:53 8 Q. So you get out of the exam room and
3:10:58 9 you turn to the left, which would be the way that
3:11:00 10 you go down the hallway to get back to your room?
3:11:02 11 A. Yes.
3:11:03 12 Q. And you mention that you were up
3:11:06 13 against the wall?
3:11:07 14 A. Yes.
3:11:07 15 Q. How did you get there?
3:11:09 16 A. I just turned the corner and I was
3:11:11 17 right there. I was already leaning on that wall
3:11:14 18 like when I walked out of the room because there's
3:11:18 19 no -- it's just right there.
3:11:30 20 Q. I'm going to have you help me explain
3:11:32 21 this with a diagram, if we can. I'm going to give
3:11:36 22 you a piece of paper and a pen. Just somewhere on
3:11:40 23 there let's draw the exam room with the doorway.
3:11:45 24 You can do it as big you want to.
3:11:48 25 A. That's the doorway.

13 11:49 1 Q. Why don't we do it where you have a
13 11:51 2 space for the doorway. So you have the room.
13 11:57 3 Okay.
13 11:58 4 A. This is where the bed is, the exam
13 12:01 5 table.
13 12:02 6 Q. Okay.
13 12:03 7 A. And I got off like this and it's only
13 12:07 8 like probably three or four feet to the door. As
13 12:11 9 I turned I was right there up against the wall.
13 12:14 10 Q. Okay.
13 12:15 11 A. I was right there. I was holding the
13 12:17 12 wall at the frame of the doorjamb. And I just
13 12:21 13 turned the corner and my room is down here.
13 12:23 14 Q. Let's mark with an X there where you
13 12:26 15 were on the wall?
13 12:27 16 A. (Witness complied.)
13 12:29 17 Q. Do it up front so we can see it for
13 12:31 18 the record. So the X is where you were on the
13 12:34 19 wall, which is just on the other side of the
13 12:38 20 doorjamb?
13 12:39 21 A. Yeah.
13 12:39 22 Q. That's a yes?
13 12:40 23 A. Yes.
13 12:40 24 Q. And your recollection is that as you
13 12:45 25 were -- let me back up. For the record, you've

3:12:50 1 also -- let's mark as an A, you can do a little
3:12:53 2 line like this with an A right here. The A would
3:12:58 3 signify the exam table. Okay.
3:13:06 4 So as you're exiting the exam room,
3:13:15 5 you're actually using the doorjamb kind of for
3:13:19 6 support?
3:13:20 7 A. Yeah.
3:13:20 8 Q. Okay. And then you kind of slide
3:13:22 9 around and your back is against the wall?
3:13:25 10 A. No. My side is.
3:13:26 11 Q. And at some point does your back go
3:13:30 12 against the wall?
3:13:30 13 A. Not that I remember.
3:13:31 14 Q. Okay.
3:13:33 15 A. But I guess it probably could have,
3:13:35 16 yeah.
3:13:40 17 Q. Earlier you mentioned that when you
3:13:42 18 got off the exam table Janna Nicholson had ahold
3:13:46 19 of your left arm. Did at some point she get ahold
3:13:50 20 of your right arm?
3:13:51 21 A. As we -- as I got off the table and
3:13:54 22 turned, yeah, she came to this side of me. She
3:13:57 23 was helping me in front of me. She helped me get
3:14:00 24 off the table. And then she was in front of me
3:14:03 25 and then she went to the side. I believe that's

13:14:06 1 what happened.
13:14:06 2 Q. Okay. So then you exit the exam room.
13:14:11 3 Some portion of your body is against the wall by
13:14:16 4 the doorjamb apparently the whole time?
13:14:19 5 A. Yeah.
13:14:20 6 Q. Do you recall whether you're facing
13:14:22 7 down the hall or whether your back is against the
13:14:25 8 wall and you're looking at the other --
13:14:27 9 A. I'm facing down the hall to my room.
13:14:29 10 Q. Okay. And so what part of your body
13:14:31 11 is touching the wall?
13:14:32 12 A. My side.
13:14:33 13 Q. And what side would that be?
13:14:34 14 A. My left side.
13:14:35 15 Q. Okay. And so Janna Nicholson was
13:14:39 16 where?
13:14:39 17 A. On my right side.
13:14:40 18 Q. And was she touching you?
13:14:42 19 A. She was holding me up with my arm.
13:14:45 20 Q. And where was -- how was she doing
13:14:46 21 that?
13:14:47 22 A. She had ahold of this one with one
13:14:50 23 hand and she had to hold like right here with my
13:14:54 24 other -- with her other hand.
13:14:55 25 Q. Okay. So she had both hands on your

3:14:59 1 right side?

3:14:59 2 A. Yes.

3:15:00 3 Q. And one kind of underneath your arm,

3:15:03 4 you know, in the wrist to elbow area?

3:15:06 5 A. Uh-huh.

3:15:07 6 Q. Is that right?

3:15:08 7 A. Yes.

3:15:08 8 Q. And another hand where, behind your

3:15:10 9 elbow?

3:15:10 10 A. Yes.

3:15:11 11 Q. Okay. And then you saw Karen Barrett;

3:15:13 12 is that right?

3:15:16 13 A. Yes.

3:15:16 14 Q. And Karen Barrett -- what did Karen

3:15:18 15 Barrett do?

3:15:20 16 A. The next thing I know she's just right

3:15:21 17 in front of me and has ahold of my hand or

3:15:24 18 something. She's trying to help hold me up.

3:15:27 19 Q. Okay. And why -- do you have any idea

3:15:39 20 why Karen Barrett came over?

3:15:41 21 A. I don't know if we hollered for her or

3:15:44 22 if she just was there. I don't remember.

3:15:47 23 Q. Do you remember hollering for anybody?

3:15:49 24 A. I don't remember.

3:15:50 25 Q. Do you remember Janna Nicholson

13:15:52 1 hollering for anybody?

13:15:53 2 A. I don't remember, really, how it came

13:15:54 3 about that she was right in front of me.

13:15:58 4 Q. Did you feel like you were going to

13:16:00 5 faint?

13:16:00 6 A. I felt like I was going to fall, yeah.

13:16:03 7 Q. Fall or faint?

13:16:04 8 A. Probably faint.

13:16:05 9 Q. Well, do you remember which?

13:16:08 10 A. To the best of my knowledge.

13:16:09 11 Q. You felt like you were going to faint?

13:16:10 12 A. Yeah. The pain was so bad.

13:16:12 13 Q. And did you tell Janna Nicholson that?

13:16:15 14 A. She knew.

13:16:15 15 Q. How did she know?

13:16:16 16 A. Probably because I told her.

13:16:17 17 Q. Okay. So you did --

13:16:19 18 A. I'm sure I did.

13:16:21 19 Q. So you did say something to Janna

13:16:22 20 Nicholson to indicate to her that you felt like

13:16:25 21 you were going to faint?

13:16:27 22 A. Yeah.

13:16:27 23 Q. And when did you make that statement,

13:16:29 24 do you recall? Were you still in the exam room,

13:16:31 25 were you making the turn, when did that happen?

16:33 1 A. I don't know. I don't remember.
 16:35 2 Q. Okay. And then what happens? You've
 16:39 3 got Karen Barrett whose got -- Karen Barrett had
 16:42 4 ahold of your hands?
 16:44 5 A. I believe so.
 16:46 6 Q. Okay. Was it both hands, do you
 16:47 7 remember?
 16:47 8 A. I don't remember.
 16:49 9 Q. But she had her hands on your body?
 16:53 10 A. I believe so.
 16:54 11 Q. And you were okay with that?
 16:56 12 A. Yes.
 16:56 13 Q. And Janna Nicholson had her hands on
 16:59 14 your body and you were okay with that?
 17:02 15 A. Yes.
 17:02 16 Q. Okay. What happened next?
 17:07 17 A. I remember looking up at Karen and Ms.
 17:09 18 Barrett and she had a really scared look on her
 17:15 19 face. I couldn't figure out why she was looking
 17:20 20 like that. She wasn't looking at me, she was
 17:24 21 looking like back here. I think for a moment I
 17:30 22 was scared to look because she had a terrified
 17:32 23 look on her face. So I turned to look and there
 17:37 24 he was. And he was standing there and he --
 17:45 25 Q. Let me stop you there. Who's he?

13:17:47 1 A. The doctor.
 13:17:49 2 Q. Okay. And he's standing where?
 13:17:52 3 A. He's standing right behind me.
 13:17:55 4 Q. Between you and -- standing between
 13:17:58 5 you and Janna or right behind you?
 13:18:00 6 A. Right behind me and Ms. Nicholson.
 13:18:02 7 Q. And you're able to see him because you
 13:18:04 8 turned your head to the right?
 13:18:05 9 A. Yes.
 13:18:06 10 Q. And so is he taller than you?
 13:18:09 11 A. Yes.
 13:18:09 12 Q. Did you have to look up to see him?
 13:18:11 13 A. Yes, I did.
 13:18:12 14 Q. Were you still standing up at that
 13:18:14 15 point?
 13:18:14 16 A. Yes, I was.
 13:18:15 17 Q. So he's -- one thing, by the way. Was
 13:18:19 18 Janna Nicholson, when she was holding you the way
 13:18:21 19 she was, was her shoulder touching yours?
 13:18:24 20 A. I don't think so.
 13:18:25 21 Q. Okay. And so he was positioned, when
 13:18:27 22 you saw him, between the two of you?
 13:18:31 23 A. Behind both of us.
 13:18:33 24 Q. Behind both of you, but where in
 13:18:35 25 relationship to the two of you?

3:18:36 1 A. In between us, but behind us.

3:18:39 2 Q. So what happens next?

3:18:41 3 A. So then the next thing I know I'm

3:18:43 4 looking down and he's got ahold of Janna's arm. I

3:18:47 5 don't know what he's saying. He's got ahold of

3:18:50 6 her arm and I don't know what he's saying. I

3:19:00 7 don't know what he's saying. I wished I knew what

3:19:03 8 he was saying.

3:19:08 9 Then he grabs her arm, or her wrist. And

3:19:13 10 she wasn't going to let go probably because she

3:19:17 11 knew I was going to fall. And he -- it seemed

3:19:25 12 like he had my arm, but he was trying to make her

3:19:28 13 let go of me. And she -- I don't know. And then

3:19:35 14 I see him grabbing ahold of Mrs. Nicholson's wrist

3:19:43 15 and he forcefully made her let go. And I was

3:19:53 16 terrified, I know that, I was scared to death.

3:19:59 17 At that time he has ahold of my arm. And I

3:20:02 18 look over and Janna is leaning up against the

3:20:05 19 wall, across on the other side of the hall. And

3:20:07 20 to my recollection, when he had ahold of her he

3:20:12 21 just kind of shoved her

3:20:16 22 Q. All the way across to the other side?

3:20:18 23 A. It wasn't very far. I don't know.

3:20:22 24 But anyway she was on the other wall. And it

3:20:25 25 seems like she's saying something.

13:20:28 1 Q. Do you remember what she's saying?

13:20:29 2 A. I don't. I wished I did. And then he

13:20:56 3 has ahold of me. And somehow it seems like he was

13:21:03 4 trying to get Ms. Barrett to move. I don't know

13:21:09 5 exactly how.

13:21:11 6 Q. Did he touch Ms. Barrett?

13:21:13 7 A. Not that I remember, not that I

13:21:15 8 recall.

13:21:16 9 Q. What was he doing that led you to

13:21:17 10 believe he was trying to get her out the way?

13:21:19 11 A. It seems like he was -- I don't know.

13:21:22 12 I don't know. It was really a lot going on at

13:21:25 13 that very moment.

13:21:26 14 Q. Did he say anything to her?

13:21:28 15 A. He could have been telling her to just

13:21:30 16 move. Maybe that is what he said, just please

13:21:34 17 move, I'll take Ms. Hernandez to her room. That's

13:21:38 18 what he said. I don't know if he was telling just

13:21:42 19 Ms. Barrett or Ms. Nicholson and Ms. Barrett. And

13:21:49 20 then he proceeded to take me to my room.

13:21:52 21 Q. Okay. Did he say anything during --

13:21:56 22 how long did it take from where you were to get to

13:21:58 23 your room?

13:22:00 24 A. I was at the end of the hall. I don't

13:22:02 25 know. Probably a minute or two. As he forcefully

3:22:09 1 took me down the hall unwillingly, he took me and
3:22:15 2 made threats that I would -- if I didn't heal and
3:22:21 3 be quite, because he knew nothing was wrong with
3:22:24 4 me, that he would send me to Pocatello and that's
3:22:27 5 where I would do my time. He proceeded to tell me
3:22:29 6 that it would only take him a phone call to make
3:22:33 7 and that would happen. So he suggested that I
3:22:35 8 just go in my room and heal, because he thinks
3:22:40 9 nothing is wrong with me. And so that's what he's
3:22:43 10 telling me as we're walking down the hall. I
3:22:46 11 didn't dare say a word to him. He was a tall man,
3:22:55 12 or it seemed like he was at the time.
3:22:57 13 Q. Where was his hand on your body?
3:22:59 14 A. He was -- he had me abold on this arm
3:23:04 15 just like Janna did.
3:23:06 16 Q. So he had one hand under your wrist
3:23:08 17 and one hand behind your elbow?
3:23:10 18 A. I believe. I'm not exactly sure
3:23:12 19 Q. And your recollection is that it took
3:23:14 20 you a minute to two minutes to get from where you
3:23:17 21 were to your room?
3:23:19 22 A. Yeah
3:23:20 23 Q. And how quickly were you walking down
3:23:23 24 the hallway?
3:23:24 25 A. I couldn't actually say I was walking.

13:23:26 1 He was almost -- one of my toes were on its
13:23:31 2 tippytoe, so I couldn't very well say I was
13:23:34 3 walking. He was taking me down the hall.
13:23:36 4 Q. Okay. How quickly did that happen?
13:23:39 5 A. I don't know. Pretty quick. It's
13:23:41 6 just right down the hall.
13:23:44 7 Q. Anything else that you remember him
13:23:46 8 saying?
13:23:55 9 A. Hmm, right now, no, I don't remember.
13:24:15 10 Q. And you said you didn't dare talk to
13:24:19 11 him, is that what your testimony is? You didn't
13:24:22 12 feel like you could talk to him during that period
13:24:24 13 of time?
13:24:25 14 A. No. I was terrified.
13:24:27 15 Q. Did you say anything to him at any
13:24:29 16 point?
13:24:29 17 A. No, I did not. Oh, I let him know at
13:24:31 18 one point that he was hurting me.
13:24:33 19 Q. So you did say something to him?
13:24:35 20 A. Yes, I did.
13:24:35 21 Q. And when did you tell him that?
13:24:38 22 A. It couldn't have been halfway down
13:24:40 23 the -- halfway there or something. I don't know.
13:24:43 24 He was hurting me really bad. Not just my kidney,
13:24:49 25 or whatever was wrong, he was hurting me, like my

3:31:51 1 Q. Okay. And how did that transpire?

3:31:54 2 Did you just walk down to the control room and get

3:31:57 3 a concern form?

3:31:58 4 A. I actually had my wheelchair back.

3:32:00 5 Q. Okay. So what happened?

3:32:02 6 A. I went down to control, I believe,

3:32:06 7 and -- I can't remember which staff member it was.

3:32:11 8 And I informed them that I wanted to do something

3:32:14 9 about this, that it wasn't fair or right. And

3:32:17 10 then they talked to me about it.

3:32:20 11 Q. And did you have an inmate -- did you

3:32:23 12 have an inmate concern form, is that what you

3:32:25 13 filed?

3:32:26 14 A. Yes.

3:32:26 15 Q. And did you have one of those in your

3:32:28 16 room or do you recall going to the control room?

3:32:30 17 A. I believe I got to the control room.

3:32:32 18 Q. Did you wheel yourself down in the

3:32:34 19 wheelchair to go get it?

3:32:35 20 A. No. I think my bunkie wheeled me down

3:32:38 21 there.

3:32:38 22 Q. Okay. And you don't remember which

3:32:40 23 officer you talked to?

3:32:41 24 A. I don't.

3:32:42 25 Q. But you got an inmate concern form?

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13:32:43 1 A. Yes.

13:32:44 2 Q. And you filled it out at that time?

13:32:45 3 A. For Lieutenant Presley, I believe.

13:32:47 4 Q. And you turned it in at that time?

13:32:49 5 A. Yes.

13:32:49 6 Q. Did you go back to your room to fill

13:32:50 7 it out?

13:32:51 8 A. I don't remember.

13:32:52 9 Q. Was that before or after you had been

13:32:54 10 seen by Janna Nicholson, or whomever, to check

13:32:59 11 your pulse and blood pressure?

13:33:02 12 A. It was -- it seems like it was before

13:33:05 13 that.

13:33:05 14 Q. Okay.

13:33:06 15 A. No, it had to be after that. I don't

13:33:09 16 really remember. I don't recall.

13:33:10 17 Q. When you had your pulse and blood

13:33:12 18 pressure checked where did that occur?

13:33:14 19 A. In my room.

13:33:15 20 Q. Okay. Did you ever go back to the

13:33:17 21 exam room that night?

13:33:18 22 A. Not that I recollect, no.

13:33:20 23 Q. Or that day?

13:33:21 24 A. Not that I recollect.

13:33:22 25 Q. Did you go to pill call?

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3:42:57 1 only take a phone call for him to send me back to
3:43:00 2 Pocahontas to top my time; and that I needed to
3:43:03 3 heal real quickly. Yeah, that's what he said.
3:43:07 4 Q. Okay. It says in the last -- I don't
3:43:13 5 know if it's necessarily the last paragraph, but
3:43:15 6 starting with from the moment I watched him, do
3:43:17 7 you see that?
3:43:19 8 A. Yeah.
3:43:20 9 Q. You write, from the moment I watched
3:43:21 10 him forcefully move the nurse out of the way, and
3:43:24 11 then is that -- what's that word? And then what?
3:43:30 12 A. And then he latched.
3:43:35 13 Q. Okay. And then latched on me, I was
3:43:37 14 too scared and overwhelmed, correct?
3:43:40 15 A. Correct.
3:43:40 16 Q. And then you write that I never said a
3:43:42 17 word to him, do you see that?
3:43:46 18 A. Yes, I do.
3:43:47 19 Q. That's what you wrote on the day of
3:43:48 20 the event, right?
3:43:49 21 A. Yes.
3:43:49 22 Q. There's nothing in here that says you
3:43:50 23 said to him you're hurting me?
3:43:52 24 A. Okay.
3:43:53 25 Q. Truc?

13:43:54 1 A. That's not what it shows, yeah.
13:43:56 2 Q. Okay. Ms. Hernandez, I'm going to
13:44:34 3 hand you what we've marked as deposition exhibit
13:44:37 4 number 1. It's the only copy I have. Do you know
13:44:39 5 what that document is?
13:44:41 6 A. Hmm, yes.
13:44:44 7 Q. What is it?
13:44:47 8 A. It's an inmate concern form.
13:44:50 9 Q. Is that in your handwriting?
13:44:52 10 A. Yes.
13:44:52 11 Q. And it's filled out by you?
13:44:54 12 A. Yes.
13:44:55 13 Q. And who did you submit that to?
13:44:57 14 A. Hmm, Lieutenant Presley.
13:45:00 15 Q. Okay. And what is it a concern form
13:45:03 16 about? What is it asking for?
13:45:08 17 A. It's asking for I wanted to file a
13:45:10 18 police report.
13:45:12 19 Q. Okay. And that's a police report
13:45:14 20 against Dr. Noak?
13:45:15 21 A. Yes.
13:45:16 22 Q. Why did you want to do that?
13:45:18 23 A. Because I felt he battered me when I
13:45:22 24 was forcefully taken down the hall.
13:45:25 25 Q. Okay. Between the first inmate

3:45:29 1 concern form and this, which is exhibit 3, and
3:45:34 2 exhibit 1, which is the second inmate concern
3:45:38 3 form, who did you talk to about the event?
3:45:43 4 A. Lieutenant Presley. Hmm, my roommates
3:45:51 5 probably. I believe that's it.
3:45:57 6 Q. Okay. You've already -- to be fair,
3:46:00 7 you already mentioned Higginbotham?
3:46:02 8 A. Yes.
3:46:04 9 Q. Did you talk to any medical staff?
3:46:06 10 A. About the situation?
3:46:07 11 Q. Uh-huh.
3:46:08 12 A. No. I believe that staff told me that
3:46:12 13 I couldn't talk to them, or couldn't bring it up
3:46:15 14 to anybody until the investigation was over.
3:46:18 15 Q. What investigation?
3:46:20 16 A. The one that -- when she sent this
3:46:23 17 information in.
3:46:24 18 Q. So when you filed this inmate concern
3:46:27 19 form on February 3rd, 2004, were you aware that
3:46:30 20 there was some investigation going on?
3:46:33 21 A. I'm not sure exactly when I found out
3:46:36 22 that there was an investigation going on, but it
3:46:38 23 was before this, I believe, to the best of my
3:46:40 24 knowledge.
3:46:41 25 Q. And somebody from the medical staff

13:46:43 1 told you they couldn't talk to you about the
13:46:45 2 event?
13:46:46 3 A. No. Lieutenant Presley told me I
13:46:49 4 couldn't talk to medical staff about it.
13:46:51 5 Q. Okay. When did she tell you that?
13:46:54 6 A. Hmm, it seems to me it was prior to
13:46:56 7 this. To the best of my knowledge it was before
13:47:03 8 this was -- to the best of my knowledge it was way
13:47:08 9 before that. It wasn't too long after it had
13:47:12 10 happened that I was informed that I couldn't
13:47:15 11 discuss it, not even with my roommates.
13:47:17 12 Q. Were you informed by somebody that you
13:47:18 13 had an option to file -- to request to file a
13:47:22 14 police report?
13:47:23 15 A. I think I had called my mom and
13:47:26 16 explained to her what was going on too. So I
13:47:29 17 guess that's somebody else I probably talked to.
13:47:31 18 She asked me if I filed a police report yet and I
13:47:34 19 said no.
13:47:34 20 Q. Anybody other than your mom who told
13:47:36 21 you that you had an option to file a police
13:47:38 22 report?
13:47:39 23 A. Hmm, no, I don't believe so.
13:47:41 24 Q. Why didn't you file one the same day
13:47:43 25 or the next day?

EXHIBIT

001092

INMATE CONCERN FORM

Inmate Name: <u>L. Hernandez Norrma</u>	Number: <u>71898</u>
Bunk Assignment: <u>3-C</u>	Date: <u>1-29-04</u>
To: _____ (Person most directly responsible for issue/concern)	

Issue/Concern (Briefly explain problem)

The male DE J that seen me today was very forceful abrupt + rude - He grabbed me by my arm after pushing the nurse to the side with a very strong grip he had on my arm and forced me to walk back to my

Inmate's Signature: _____

Staff Comments and Action Taken:

Date Received:

1/30/04 @ 1930 hrs

2/1/04 - Received information + informed security officer regarding no contact by DE Noak

Signature/Title: _____

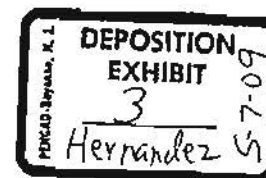
Date Signed and Mailed: _____

2/1/04

DISTRIBUTION: Both copies should be forwarded. Yellow copy will be returned to you with response.
WHITE - File YELLOW - Inmate



IDOC0429



Continued

13-0

1-29-04

LT Presly

room with no concern of my health or well being. he had such a grip on my right arm, and his manly force, that he ~~escorted~~ escorted me to my room in such a manner that I was almost walking on my tip-toes.

As we came up to the bathroom he informed me if I didn't heal quickly, that I would be sent back to Pocatellow. "Two months would be a lot harder in Pocatello than here."

From the moment I watched him forcefully move the nurse out of the way and then latched on me. I was so scared and overwhelmed, that I never said a word to him. I Don't think I even took a breath. I refuse to ever be seen by him again.

Thank you

Tom Edwards
1-29-04

IDOC0430

001094

EXHIBIT

001095

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

JOHN F. NOAK, M.D.,)
Plaintiff,)

vs.) Case No. CV OC 0623517

PRISON HEALTH SERVICES,)

INC., a subsidiary of)

AMERICAN SERVICES GROUP,)

INC.; IDAHO DEPARTMENT)

OF CORRECTION;)

RICHARD D HAAS, and)

DOES I-10,)

Defendants.)

DEPOSITION OF NOELLE BARLOW

JANUARY 27, 2009

REPORTED BY:

BARBARA BURKE, CSR No 463

Notary Public

1 THE DEPOSITION OF NOELLE BARLOW was taken
2 on behalf of the Plaintiff at the office of the
3 Attorney General, 954 West Jefferson, 2nd Floor,
4 Boise, Idaho, commencing at 2:04 p.m. on January 27,
5 2009, before Barbara Burke, Certified Shorthand
6 Reporter and Notary Public with and for the State
7 of Idaho in the above-entitled matter.

8 A P P E A R A N C E S

9 For the Plaintiff:

10 Comstock & Bush

11 By JOHN A. BUSH

12 199 North Capitol Boulevard, Suite 500

13 P.O. Box 2774

14 Boise, ID 83701-2774

15 For the Defendant Idaho Department of Correction:

16 Office of the Attorney General

17 By EMILY A. MAC MASTER

18 954 West Jefferson - 2nd Floor

19 P.O. Box 83720

20 Boise, ID 83720-0010

21 For the Defendant Prison Health Services:

22 Naylor & Hales, P.C.

23 By KIRTLAN G. NAYLOR

24 950 West Bannock, Suite 610

25 Boise, ID 83702

EXHIBIT

12

Page 2

1 Q. If they were having a conversation when
2 they walked out of the nursing station -- I'm
3 calling it the exam room, whatever -- if they
4 were having a conversation then just in normal
5 voices, would you be able to hear that in the
6 Control Center?

7 MS. MAC MASTER: Objection to the form.

8 THE WITNESS: If they were speaking
9 loudly, then I would have heard.

10 The hallways make it difficult to hear
11 what's going on. With the number of women that
12 facility houses, if they were talking, then it
13 would kind of make it difficult to hear any low
14 speaking. I did not hear any conversation.

15 Q. (BY MR. BUSH) Did the manner in which
16 Dr. Noak escorted Inmate Hernandez down the
17 hallway leave any impression on you in terms of
18 it being inappropriate or unusual?

19 A. I don't often see a medical staff
20 member escorting an offender.

21 Q. Okay. Other than that?

22 A. Looking back in the seven years that
23 I've worked for the Department, that's the only
24 time I've seen a medical staff member escort an
25 inmate.

1 Q. Okay. But other than the fact that
2 Dr. Noak was escorting the inmate back to the
3 room, anything else that left an impression on
4 you as being unusual or out of the ordinary?

5 A. Other than him escorting her down the
6 hallway, that's the only memory I really have.
7 It didn't really make an impression on me, which
8 is probably why I didn't write a report.

9 MR. BUSH: That's all the questions
10 I have. Thank you.

11 MR. NAYLOR: I don't have any
12 questions.

13 MS. MAC MASTER: I don't have any
14 questions. Thank you.

15 (Deposition concluded at 2:05 p.m.)

16 (Signature requested; read and sign
17 secured by Emily A. MacMaster.)
18
19
20
21
22
23
24
25

EXHIBIT

001098

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

JOHN F. NOAK, M.D.,)

Plaintiff,)

vs.) Case No. CV OC 0623517

PRISON HEALTH SERVICES,)

INC., a subsidiary of)

AMERICAN SERVICES GROUP,)

INC., IDAHO DEPARTMENT)

OF CORRECTION,)

RICHARD D. HAAS; and)

DOES 1-10,)

Defendants.)

DEPOSITION OF TODD JACKSON

JANUARY 27, 2009

REPORTED BY

BARBARA BURKE, CSR No 463

Notary Public

1 THE DEPOSITION OF TODD JACKSON was taken
2 on behalf of the Plaintiff at the office of the
3 Attorney General, 954 West Jefferson, 2nd Floor,
4 Boise, Idaho, commencing at 9:30 a.m. on January 27,
5 2009, before Barbara Burke, Certified Shorthand
6 Reporter and Notary Public with and for the State
7 of Idaho in the above-entitled matter.

8 A P P E A R A N C E S

9 For the Plaintiff:

10 Comstock & Bush

11 By JOHN A. BUSH

12 199 North Capitol Boulevard, Suite 500

13 P.O. Box 2774

14 Boise, ID 83701-2774

15 For the Defendant Idaho Department of Correction:

16 Office of the Attorney General

17 By EMILY A. MAC MASTER

18 954 West Jefferson - 2nd Floor

19 P.O. Box 83720

20 Boise, ID 83720-0010

21 For the Defendant Prison Health Services:

22 Naylor & Hales, P.C.

23 By KIRTLAN G. NAYLOR

24 950 West Bannock, Suite 610

25 Boise, ID 83702

EXHIBIT

13

Page 2

1 the -- out of normal, not normal or out of the
2 ordinary such that you felt the need to do a 105?

3 A. Yes.

4 Q. Okay. Let's talk about what you wrote
5 in the "Brief summary of incident/exercise and
6 action taken." Do you see that?

7 A. Yes, sir.

8 Q. At approximately 17:00 hours -- that
9 would be around 5:00 --

10 A. Yes, sir.

11 Q. -- in the evening?

12 A. Yes.

13 Q. You wrote that, "Officer R. Nees,
14 N. Barlow, and T. Jackson saw Dr. Noak escorting
15 Offender Hernandez #71898 back to her room after
16 being evaluated, and RN Jan Nicholson standing in
17 the hallway observing the escort" in that first
18 sentence. Do you see that?

19 A. Yes, sir.

20 Q. Is there anything in that first
21 sentence that is out of the ordinary such that
22 you would have felt it necessary to fill out a
23 Form 105?

24 A. No.

25 Q. And when you refer to "R. Nees," he was

Page 17

1 another Correctional Officer that was on duty
2 that night?

3 A. Yes.

4 Q. And "N. Barlow," a similar -- also a
5 Correctional Officer on duty that night?

6 A. Yes.

7 Q. And where were the three of you at
8 approximately 17:00 hours when you made this
9 observation?

10 A. Officer Nees and I were in the Control
11 Center of the unit for South Boise Women's
12 Correctional.

13 Q. And Officer Barlow?

14 A. I do not recall where she was standing.

15 Q. So when you write that, "Officer Barlow
16 saw Dr. Noak escorting Offender Hernandez back to
17 her room," how do you know that?

18 A. At one point she was in the Control
19 Center with us. I do not know at what point she
20 started observing or stopped observing.

21 Q. Okay. The next sentence says that,
22 "CMS J. Nicholson later reported that she had
23 been pushed out of the way by Dr. Noak in order
24 for him to begin the escort." Do you see that?

25 A. Yes, sir.

Page 18

1 A. I don't.

2 Q. So you don't know if somebody asked her
3 to do that?

4 A. I don't.

5 Q. And I take it, you did not ask her to
6 do that?

7 A. I did not.

8 Q. You write, "CMS J. Nicholson will be
9 turning in an Information Report." How did you
10 come by that information?

11 A. After the allegation of being pushed
12 and observing the escort, I let her know that I
13 would be submitting my paperwork; and that she
14 should also turn in her Information Report
15 because she was in the room that was out of
16 our view.

17 Q. And to whom was she supposed to turn in
18 the Information Report?

19 A. To control that would submit it with
20 our information to Lieutenant Presley for her
21 review the next day.

22 Q. Did you ask her to do that that
23 evening?

24 A. Yes, I did.

25 Q. So did you get a copy of her

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1 Information Report before she left the facility
2 that night?

3 A. I did not.

4 Q. Do you know why?

5 A. I left before she did.

6 Q. Do you know if she turned in an
7 Information Report that evening?

8 A. I do not.

9 Q. You indicate that, "Lieutenant Presley
10 will be contacting D. Haas on Monday." I'm
11 assuming that's Dave Haas?

12 A. Yes.

13 Q. And I'm assuming that's also based on
14 what Lieutenant Presley told you?

15 A. Yes.

16 Q. In terms of that last sentence, does
17 that indicate to you, based on your deduction or
18 even recollection, as to what day of the week
19 this incident happened?

20 A. I don't know.

21 Q. Do you remember?

22 A. I don't.

23 MS. MAC MASTER: Can we take a short
24 break if you're done with this document or when
25 you're done with this document, John?

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1 and involvement than what you had put on the 105?

2 MS. MAC MASTER: Objection to the form.

3 MR. BUSH: You can answer if you can.

4 THE WITNESS: I'm not sure I understand
5 the question.

6 Q. (BY MR. BUSH) Well, when you filled
7 out the Staff Information Report, one of things
8 that you were doing was providing more detail,
9 to the extent that you could or you felt was
10 necessary, than what you had put on the 105; fair?

11 A. Yes, being a brief summary in the 105.

12 Anything else that would need to be included
13 would be entered in an Information Report.

14 Q. And so that I'm clear, I thought that's
15 what you told me, was that the 105 was going to
16 be the basics. Then if you needed to flush out
17 more detail, you would put it in the Staff
18 Information Report?

19 A. That is normal, yes.

20 Q. Now, the Staff Information Report has
21 the time of incident as 15:15 hours. Do you know
22 why that would be different than the 105?

23 A. I want to describe it as kind of an
24 underwritten agreement that one clock doesn't
25 have the exact time as the other, and we have a

1 15-minute window to where one clock might say
2 17:00, your computer will show 17:03, and your
3 watch will show 17:05.

4 That's a rough estimate, 17:00 to about
5 17:15 hours.

6 Q. All right. But what you write is
7 "15:15." If I understand my time, that's an hour
8 and 45 minutes difference.

9 A. Oh, I'm sorry, I did not see that.

10 MS. MAC MASTER: Is there a question
11 pending?

12 Q. (BY MR. BUSH) Yes. The question is,
13 why is there a difference in the time of the
14 incident on the two reports?

15 A. Well, for myself, it was very common
16 with mixing up the 17:00 and 15:00 time frames.
17 If it's 17:00, it's supposed to be 5:00, and I
18 more than likely on the Information Report had
19 "5" in my head, putting 15:15 rather than 17:15.

20 Q. The other thing is that the incident --
21 the 105 refers to Offender Hernandez turned in
22 her memo or the Inmate Concern Form at 19:30 hours
23 on the 105, but on your Staff Information Report
24 you report you indicate that she turned it in to
25 21:30 hours. Do you have an explanation for the

1 Is that fair?

2 MR. BUSH: Which description?

3 Q. (BY MS. MAC MASTER) The description
4 given in your testimony today?

5 A. Yes.

6 Q. Is the description on Exhibit 1
7 intended to be a summary of the incident?

8 A. Yes. Very brief.

9 Q. And Exhibit 2, although there may be
10 more detail on that report than on Exhibit 1, is
11 Exhibit 2 a summary of what you observed on
12 January 30th, 2004, as well?

13 A. I wouldn't call it a summary. It is
14 supposed to contain as much information as I can
15 recall regarding the incident.

16 Q. What I'm asking about is you've
17 testified to your impressions of what you
18 observed as to Dr. Noak's demeanor when he was
19 walking down the hall or leaving the facility,
20 and that's not contained in Exhibit 2, is it?

21 A. It is not.

22 Q. Can you explain that?

23 A. Yes. Staff are told not to include
24 opinions. Like, if I were to say that "He, in my
25 opinion, was wrong in this escort," I could not

Page 91

1 put that in any of my reports because it was

2 opinion based.

3 Q. And just to clarify the record, we were
4 talking about the time that Ms. Hernandez turned
5 in the memo.

6 On Exhibit 1 it states that at
7 19:30 hours Ms. Hernandez turned in her memo; is
8 that right?

9 A. It does state that.

10 Q. And on Exhibit 2 it states that at
11 21:30 hours Ms. Hernandez turned in a memo. Do
12 you see that?

13 A. I do.

14 Q. And on Exhibit 3 it states that at
15 1/30/04 at 19:30 hours. Do you see that?

16 A. I do.

17 Q. And are those your initials there --

18 A. Those are my initials.

19 Q. -- on Exhibit 3?

20 A. On Exhibit 3.

21 Q. Looking at these three documents, can
22 you state with confidence what time Ms. Hernandez
23 turned that memo in to you? That's a bad question.
24 Strike that.

25 What I'm trying to get at is do any of

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1 these documents, looking at all three of them,
2 tell you what time Ms. Hernandez turned her memo
3 in to you?

4 A. The 105, in my opinion, would be the
5 most accurate because that would have had to have
6 been wrote as soon after the incident as
7 possible.

8 The Information Report just had to be
9 finished near the end of my shift.

10 On Exhibit No. 3, the Concern Form,
11 I am to -- once I receive this -- to date, time,
12 and initial that I received that from her.

13 So with this information, I would have
14 to say that the 105 and the Concern Form
15 submitted by Ms. Hernandez are the accurate
16 times, and that I incorrectly put the times on
17 the Information Report.

18 MS. MAC MASTER: No more questions.

19
20 FURTHER EXAMINATION

21 QUESTIONS BY MR. BUSH:

2 Q. Officer, was the incident in the
3 hallway recorded?

4 A. Which incident are you pertaining to?

5 Q. The one where you -- well, was

Page 93

1 Dr. Noak's escort of Inmate Hernandez down the
2 hallway recorded?

3 A. I don't know, other than my own --

4 MR. NAYLOR: Video recorded.

5 Q. (BY MR. BUSH) Was it video recorded?

6 A. No, there is no video.

7 Q. There is no video cameras?

8 A. No, sir.

9 Q. When was the video put in?

10 A. I'm not sure on the accurate date and
11 time because it was about the time I left the
12 facility that they were putting cameras in.

13 Q. So your recollection is and your
14 testimony is there were no video cameras on the
15 facility on January 30th, 2004?

16 A. That is correct.

17 Q. If I understand your testimony correctly,
18 whatever happened between Janna Nicholson and
19 Dr. Noak occurred in the Medical Room?

20 MS. MAC MASTER: Objection to the form.

21 THE WITNESS: The Exam Room.

22 Q. (BY MR. BUSH) The Exam Room?

23 A. Yes.

24 Q. Because you actually saw her come out
25 of the Exam Room?

Page 94

1 A. Yes.

2 Q. And you saw Dr. Noak come out of the
3 Exam Room with Inmate Hernandez?

4 A. Yes.

5 Q. And I'm not clear -- when you testified
6 that they got down the hall by the bathroom, I
7 wasn't clear whether you were trying to indicate
8 that -- did he pull her into the bathroom?

9 A. No. He did not pull her into the
10 bathroom. He stopped the escort, and by turning
11 the arm made her face him. As he was looking
12 right at her, he was facing the right wall. She
13 would be facing him, which would be the opposite
14 wall in the tier.

15 Q. And that just -- that event happened by
16 the bathroom? Is that what you're saying?

17 A. When I observed it, I saw it happen.
18 It was near the entrance to the bathroom. I
19 don't recall if it was this side of the door or
20 the opposite side of the door, but my viewpoint
21 in documentation of where it took place, the
22 nearest door to them was the entrance to the
23 Tier 1 bathroom.

24 Q. Did you ask Officer -- is it Nees --

25 A. Nees.

Page 95

1 Q. -- Nees to fill out a Staff Information
2 Report?

3 A. I don't believe I ever asked him to.

4 It's to be expected if you observed an
5 event, all staff should fill out an Information
6 Report.

7 Q. What about Officer Barlow?

8 A. If she observed it, I would recommend --
9 or I would expect an Information Report from her,
10 as well.

11 Q. Am I correct in my understanding of
12 your prior testimony that following your
13 conversation with Lieutenant Presley, you asked
14 Janna Nicholson to fill out a Staff Information
15 Report and get that back to you?

16 A. Correct.

17 Q. And is that because she was a PHS
18 employee --

19 A. Because she is medical staff.

20 Q. -- as opposed to a Correctional Officer?

21 A. Security Staff, yes.

22 Q. So your protocol again, if I'm
23 understanding your testimony correctly, is if you
24 observe or if an officer observes something, an
25 event out of the ordinary that should be reported,

Page 96

1 Form. If you don't know, you don't know.

2 A. I do not know.

3 Q. Okay. How did Inmate Hernandez get the
4 Inmate Concern Form, do you know?

5 A. Normally, the offender population have
6 a few of them on hand, so they usually keep them
7 within their property.

8 Q. Okay. Do you specifically know how she
9 received this form, whether she had it on her or
10 whether she got it --

11 A. No, sir, I don't.

12 Q. And did she physically hand it to you?

13 A. Yes, she did.

14 Q. And is she allowed out of her room to
15 come down to the Control Room to do that?

16 A. I don't recall the specifics at that
17 time because they have changed.

18 I know at one point they could come up
19 to drop off a concern at any time, and then we
20 narrowed it down to during the recreation time.

21 So I don't recall at what point we
22 changed our procedures; when this event took
23 place, if it was during rec only or any time.

24 Q. Were you in the Control Room when she
25 handed it to you?

Page 45

1 A. No, sir.

2 Q. Where were you?

3 A. I was walking the tiers, and I was
4 walking by her room. I believe one of her
5 roommates asked if I could step into Room 13. I
6 stepped in there, and she handed me the Inmate
7 Concern Form while I was in the room.

8 Q. Did she say anything other than -- did
9 she say anything?

10 A. She started to, but because of the
11 allegation that was reported by Nurse Nicholson,
12 I let Ms. Hernandez know that I would accept this
13 and turn it into Lieutenant Presley; and if there
14 were questions, then Lieutenant Presley would
15 speak with her the next day.

16 Q. Was that the sum and substance of the
17 conversation that you had with Offender Hernandez,
18 as you remember?

19 A. It was very short, yes.

20 Q. When you were walking the tier, were
21 the doors to the rooms open -- was the door to
22 her room open?

23 A. I don't remember.

24 Q. What is the protocol relative to opening
25 and closing of doors?

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EXHIBIT

001107

STATE OF IDAHO
BOARD OF CORRECTION
DEPARTMENT OF CORRECTION

INCIDENT/EXERCISE REPORT FORM

Date of Incident: 01/30/04 Time of Incident: 1700

Type of Report (click only one) Incident ☐ Exercise ☐ (Provide narrative description at bottom)

Identify Facility at which Incident/Exercise Occurred:
Division of Prisons: South Boise Women's Correctional Center

COMPLETE ONLY THE INFORMATION THAT IS APPLICABLE

Location:
Facility (Building/Unit/Block/Dorm): Tier J, Medical Special Projects Job
County Jail

Type of Incident:
Accidental Injury Requiring Medical Attention:
Assault
Bomb Threat
Disturbance
Drill: - Emergency Exercise
Escape:
Fire:
Hazardous Waste Incident
Incident Involving:
Inmate Death: Natural Causes, Suicide, Suspected Foul Play
Medical Transport
Physical Plant/Utility Problem
Property Loss Over \$500:
Suicide Attempt
Use of Force:
Vehicle Accident: Injuries Involved
Work Stoppage:
Other:

Individual(s) Involved:
Inmate(s): Hernandez #71898
DOC Staff: CMS Jana Nicholson and Dr. Noak
Facility Visitors:
General Public:
Elected Officials:
State Police, County Sheriff, City Police, Fire Department, Ambulance

Brief Summary of Incident/Exercise and Action Taken: At approximately 1700 hours, Officer's R. Nees, N. Barlow, and T. Jackson saw Dr. Noak escorting offender Hernandez #71898 back to her room after being evaluated and RN Jana Nicholson standing in the hall way observing the escort. CMS J. Nicholson later reported that she had been pushed out of the way by Dr. Noak in order for him to begin the escort. CMS J. Nicholson stated while standing in the hallway that "I have had enough and I'm going to quit". At 1930 hours, offender Hernandez turned in a memo to staff stating that she is refusing to be seen by Dr. Noak in the future. Duty Officer, Lt. C. Preslev was called and briefed. Sgt. B. Finley was also briefed. At 2200 hours, CMS R. Messado checked on offender Hernandez and did not see any visible bruises. CMS J. Nicholson will be turning in an information report. Lt. C. Preslev will be contacting D. Haas on Monday.

Exh. No. 2
Date 6-17-09
Name R. HAAS
M & M Court Reporter

IDOC0027

EXHIBIT
001108
14

EXHIBIT

001109

SOUTH BOISE WOMEN'S CORRECTIONAL CENTER
STAFF INFORMATION REPORT

I.R. #

Date of Incident: 01/30/04

Time of Incident: 1515 hours

Place of Incident: Tier 1 Hallway

Inmate Name and Number: HERNANDEZ #71898

REPORT: On the above date and time, Officer Nees commented that RN Nicholson was obviously upset with Dr. Noak. I looked down Tier 1 to see PA Barrett and RN Nicholson standing outside the medical office door and watching Dr. Noak escorting offender Hernandez back to her room. RN Nicholson had her hands on her hips and shaking her head in disbelief. After she turned around, she stated, "I've had enough" and "I quit." I did mention to Officers Nees and Barlow that Hernandez seemed to be moving faster than the last two days since being ill. She did walk slower and collapse the day prior. Awhile later, RN Nicholson reported that she was upset with Dr. Noak. At 2130 hours, offender Hernandez turned in a memo stating what took place in the medical room and how she did not want to see that doctor again. I then notified the Duty Officer, Lt. Presley. Per her request, I filled out a 105 incident form. End of report



Reporting Staff Signature

Exh. No.	3
Date	6-17-09
Name	R. HARRIS
N & N Court Reporting	

DOC0034

EXHIBIT
001110
15

EXHIBIT

001111

00122201517

ADA COUNTY SHERIFF'S DEPARTMENT SUPPLEMENTAL REPORT

1. INCIDENT/TYPE Battery		2. SUBJECT/VICTIM'S NAME (S) Noak, John		3. MO 17256
4. LOCATION/ADDRESS 13200 Pleasant Valley Rd. Boise, Idaho 83634		5. PHONE		7. PAGE 14
6. DATE 01-11-04	8. TIME OCCURRED	10. ROUTE TO	12. DIVISION Detectives	

Noak told me that Hernandez was outside the room and just around the corner when he went to "assist". I told him that I was familiar with a jail setting and how security is important. I asked him if he thought what he heard may have been a set-up or if Hernandez could have taken something from his office and had it with her, using something as a weapon. I wanted to see if he thought about security concerns before rushing around the corner into an unknown situation. He said he didn't think about those security concerns.

Noak told me he had been a doctor for 15 years, 15 months of those in a prison facility. He told me about told me about his history and the difficulty of the situation working in a prison.

I asked him if he recalled saying anything to Barrett in a negative tone that day and he said he couldn't recall. I asked him if he recalled saying anything about sending Hernandez back to Pocatello. He said he told her about her options and didn't "directly" threaten her. I asked him if he ever helped another inmate in the way he did with Hernandez that day and he said he had.

Noak told me he has never had a complaint against him and that these charges could threaten his medical license. We ended our interview and I told him I would keep him informed, should charges be filed.

On 021804, I re-read Officer Jackson's statement and saw that he didn't actually see the incident. I called him to confirm what he wrote and he said all he saw was the escort. He said he couldn't hear what was said between Noak and Hernandez but it did appear they were talking. He said it didn't appear Hernandez was being moved against her will but did say she was moving "fairly quick for her condition". He said she was moving slow the days before and there was a difference between those days and the escort he witnessed.

On 022004, I went to SBWCC and asked Hernandez if she would sign a form allowing the release of her medical records so I could add the hand written notes from her chart for the days prior to and including 013004. She agreed to release the chart and copies of the notes have been booked as evidence.

I am asking that the Ada County Prosecutor's Office review this case and to seek a warrant for the arrest of Dr. John Noak. Noak is accused of battering Norma Hernandez, an inmate at the South Boise Women's Correctional Center, and Janna Nicholson, a Correction Medical Specialist working at the South Boise Women's Correctional Center. After Noak saw Hernandez on 013004, she left the room and almost immediately felt faint and dizzy. Nicholson was at her side to help her and began to assist Hernandez to slide down a wall to a sitting position. Physician Assistant Karen Barrett was also nearby to assist, if she was needed. Both Hernandez and Nicholson stated they heard a slam or bang and soon found Noak pushing Nicholson out of the way and grabbing a hold of Hernandez. Barrett was also a witness to these actions. Nicholson said she did not call for assistance and Barrett,

Reporting Officer's Name & Title Detective D. Lukash/2094/022104/0950	Signature <i>[Signature]</i> 2133
ACSD Detective Supplement 8238	

DISTRIBUTION: Original - Records, Yellow - Follow-up, Pink - Crime Analysis

ACSD0018

001112
16

EXHIBIT

001113

January 31, 2004

Information Report: Incident 1/30/04, involving Dr. Noak and IM Hernandez #71898.

At approximately 1715 on Friday, January 30, 2004, Dr. Noak was in the exam room with IM Hernandez. He was examining the Pt. as she had been ill for the past 2 days and had been seen in the Emergency room the night before. Karen Barrett, PA-C had been in the room with them prior to my arriving, during the actual exam. After I arrived, Karen went to her office and I stayed with the Pt. and Dr. Noak. Dr. Noak was seated at the desk, with his back to the Pt. charting, and IM Hernandez was sitting on the exam table. I noted that Hernandez was swaying as she sat at the end of the exam table and I asked if she was dizzy. She stated that she was and I started to tell her to lie down when Dr. Noak turned and said, "lay down then". He was abrupt and appeared to be irritated. Over the next 5 minutes I conversed with the Pt. and helped her get into a position of comfort. Shortly thereafter, Dr. Noak said, "go back to your room", he did not talk with the Pt. at all about her illness or a plan of care. I assisted the Pt. to a sitting position, she became dizzy and I advised her to just sit for a few moments until it passed. Once she was able to stand up, she was noticeably pale and shaking, stating that she felt like she was going to pass out. (IM had an episode of syncope the night before and the potential for it happening again was real) I helped her to a position close to the wall and tried to comfort her as she was becoming fearful. As I was trying to assist the Pt. to slide down the wall to a sitting position, Karen Barrett came out of her office and was starting toward us to assist when Dr. Noak slammed a book or something in the exam room, walked out to the doorway and aggressively inserted himself between myself and the Pt., pushing me aside. He proceeded to grab IM Hernandez under her left armpit and basically forced her to walk briskly down the hall with him. This was not done in an effort to assist the patient to her room it was an aggressive, irritated escort! I assume he was irritated with me because I was taking time with the patient and he had already stated that there is nothing wrong with her, I believe differently after spending the last 2 days with her! He did not assess her condition, or ask any questions. I stood in the hall watching this, unable to believe what had just happened. As they walked I could hear him talking to her but could not hear what he was saying. When Dr. Noak and the Pt. were almost at her doorway, at the end of the tier, I turned around, looked at C/O Nece and C/O Jackson who were in the Control area watching at this point. I went into the Medical Office and shut the door for a short time, spoke to Karen Barrett for a moment and then went on with Pill Call. At some point, Dr. Noak left, he did not talk with Karen Barrett or myself, he just left, leaving the Pt. charts on the desk in the exam room, and the door wide open. I am unsure how long the door was left open and I did not notice anything missing or disturbed.

Jaynn Nicholson
Jaynn Nicholson, CMR

1/30/2004

Exh. No. 5
Date 2-18-09
Name PRESLEY
M & M Court Reporting

IDOC0176

EXHIBIT
00114
17

001115

001115

From: Christy Presley
To: Haas, Richard
Date: 2/1/04 5:30PM
Subject: incident at the facility

We had an incident here at the facility in reference to Dr. Noak. A 105 was completed on the incident. I have asked medical individuals to provide a report of the incident. The inmate has put in a concern form and refuses to be seen by the Dr. anymore because of what he did. "The male Dr. that seen me today was very forceful abrupt and rude-He grabbed me by my arm after pushing the nurse to the side. With a very strong grip he had on my arm and forced me to walk back to my room with no concern of my health or well being. he had such a grip on my right arm, and his manly force, that he escorted me back to my room in such a manner that I was almost walking on my tiptoes.

As we came up to the bathroom he informed me if I didn't heal quickly, that I would be sent back to pocatello, "two month's would be a lot harder in Pocatello then here.

from the moment I watched him forcefully move the nurse out of the way and then on to me. I was so scared and overwhelmed, that I never said a word to him. I Don't think I even took a breath. I refuse to ever be seen by him again." This is typed exactly the way she wrote it.

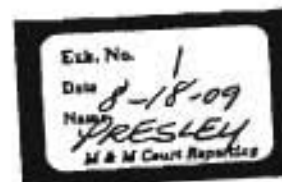
Janna Nicholson (one of the medical providers) verifies most of the information the Offender has given. She has completed a report for her supervisor and I requested a copy.

I have attached a copy of the two 105's that have been done.

1. I want to know what we do if a doctor needs to see her since she refuses to see Dr. Noak.
2. I have requested incident reports from other medical staff that observed Dr. Noak.
3. I have been informed that since this offender has been ill that medical has placed a wheelchair at the end of the hall for staff and offenders to assist her in going to the bathroom or for meals. If she wakes in the night, she is suppose to wake a roommate and ask them to help her to the bathroom. I do not believe this is the appropriate action to be taken for staff or offenders. What if the wrong offender is asked to help? It isn't their job nor is it the staffs job.

I will not be here on Monday, I will be back on Tuesday. If you need any further information from me please let me know. If you need something tomorrow, please contact Sgt. Finley she should be able to help you.

CC: Billie Finley; Cydnee (Cyd) Heyrend



IDOC0185



EXHIBIT

001117

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

JOHN F. NOAK, M.D.)

Plaintiff,)

vs.) Case No. CV OC 0623517

PRISON HEALTH SERVICES,)

INC., a subsidiary of)

AMERICAN SERVICES GROUP,)

INC.; IDAHO DEPARTMENT)

OF CORRECTION;)

RICHARD D. HAAS; and)

DOES 1-10,)

Defendants.)

DEPOSITION OF CHRISTY PRESLEY

AUGUST 18, 2009

REPORTED BY:

BARBARA BURKE, CSR No. 463

Notary Public

1 THE DEPOSITION OF CHRISTY PRESLEY was taken
2 on behalf of the Plaintiff at the Office of the
3 Attorney General, 954 West Jefferson Street,
4 Boise, Idaho, commencing at 10:00 a.m. on August 18,
5 2009, before Barbara Burke, Certified Shorthand
6 Reporter and Notary Public with and for the State
7 of Idaho in the above-entitled matter.

8 A P P E A R A N C E S

9 For the Plaintiff:

10 Comstock & Bush

11 By JOHN A. BUSH

12 199 North Capitol Boulevard, Suite 500

13 P.O. Box 2774

14 Boise, ID 83701-2774

15 For the Defendant Idaho Department of Correction:

16 Office of the Attorney General

17 By EMILY A. MAC MASTER and STEVEN L. OLSEN

18 954 West Jefferson - 2nd Floor

19 Boise, ID 83720-0010

20 For the Defendant Prison Health Services:

21 Naylor & Hales, P.C.

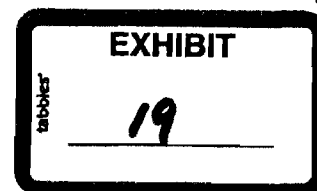
22 By KIRTLAN G. NAYLOR

23 950 West Bannock, Suite 610

24 Boise, ID 83702

25

001117 A



Page 2

1 (Pages 1 to 2)

1 about the incident?

2 A. I believe I did.

3 Q. Do you recall when those conversations --
4 do you recall more than one?

5 A. No.

6 Q. Do you recall when the conversation,
7 if you had one, occurred?

8 A. I can't tell you for sure because I
9 don't know.

10 Q. Okay.

11 A. I can't give you a time and date.

12 Q. Let me ask you, when you write, "Janna
13 Nicholson verifies most of the information the
14 Offender has given," when you write that, what is
15 the basis of that statement, do you know?

16 A. No. That's what I'm saying is that I
17 could have gotten that from her Information
18 Report because my normal practice would be sending
19 out a packet of information to David Haas because
20 I wouldn't just send the 105s because he already
21 had those.

22 Q. But as you sit here today, you
23 cannot -- if we were to explore any conversations
24 that you had with Janna Nicholson regarding the
25 incident, could you tell me anything about that?

Page 27

1 A. I'm not quite sure just how you want me
2 to answer -- what you're asking me.

3 Q. Sure. Fair enough. I'm just trying
4 to -- frankly, I'm just trying to test your
5 memory as to if you had conversations with Janna
6 Nicholson, are we going to be able today to
7 explore any of those in terms of what she told
8 you, what you said in response, anything of that
9 nature?

10 A. You know, I'm assuming -- I can only
11 assume -- and that's not what you're asking me --
12 but I assume that we talked and she described the
13 incident to me, but I couldn't tell you at all
14 what my response would be to her.

15 Q. Can you tell me at all, based on your
16 recollection, what it is that she told you?

17 A. Well, if I spoke to her, it sounds like
18 just to find out what happened.

19 Q. Right. But as you sit here today,
20 I want to know, is your memory such that you can
21 say that, "I remember sitting down face-to-face
22 with Janna Nicholson and having a conversation,
23 and here's what she told you me"?

24 A. I can tell you I have a recollection of
25 sitting down and talking with Janna Nicholson

Page 28

1 face-to-face, but I can't tell you exactly what
2 was said.
3 Q. Okay. Can you tell me, in relationship
4 to the incident, which was January 30th, 2004,
5 when that conversation took place?

6 A. Well, it would have been -- see,
7 because of schedules, I can't tell you exactly
8 what day, but it would have been probably on that
9 Sunday, but I can't say that for sure because she
10 may not have been there.

11 Q. Can you recall where the conversation
12 took place?

13 A. No.

14 Q. Can you recall anything about Janna
15 Nicholson's demeanor when she was talking to you?

16 A. I think -- well, I don't want to say,
17 "I think."

18 MR. OLSEN: Testify as to what you
19 recall.

20 THE WITNESS: Yes. I can't.

21 Q. (BY MR. BUSH) Do you recall -- well,
22 strike that.

23 Just so that I'm clear and fair to the
24 record, whenever this conversation with
25 Ms. Nicholson occurred, do you recall having any

1 others after that with her?

2 A. No, I don't.

3 Q. Okay.

4 A. Perhaps if I explained something to
5 you, that would help somewhat in this.

6 Normally, when an incident occurs, we
7 report it. We don't do a lot of digging, delving
8 into Information Reports.

9 Then if there's an investigation done,
10 the Department -- the Administration assigns that
11 to someone.

12 Q. I understand -- and if my questions are
13 putting you on the defense, I apologize for that.

14 A. Well, no. I'm just letting you know --

15 Q. I'm just trying to find out what you
16 know.

17 A. That's part of the reason why I
18 wouldn't go ahead and keep questioning them or
19 anything.

20 Q. Okay.

21 (Exhibit 5 marked).

22 Q. (BY MR. BUSH) I have handed you --

23 A. I would like to answer a question you
24 asked a few moments ago.

25 Q. Sure.

EXHIBIT

001120

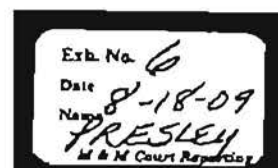
2/2/04

Per request of LT. Presley: Information concerning an incident concerning N. Hernandez #71898 on 1/30/04.

Dr. Noak arrived at SBWCC, late in the afternoon, to perform a physical assessment on Hernandez. I observed his initial assessment but went back to my office after CMS Jana Nicholson arrived for further assistance. I came out of my office and saw Jana and Hernandez stopped in the hall. I then saw Dr. Noak come out of the exam room and move Jana aside. He then took the arm of Hernandez and escorted her down the hall to her room.

Karen Barrett MS PA-C

Karen Barrett



IDOC0184



EXHIBIT
001122



IDAHO DEPARTMENT OF CORRECTION

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DAK KEMPTHORNE
Governor

THOMAS J. BEAUCLAIR
Director

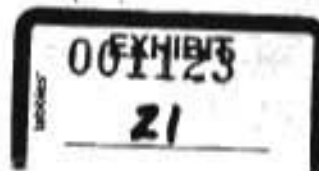
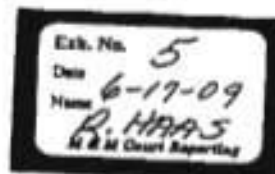
Support Services Division Memorandum

DATE: February 2, 2004
TO: Paul Martin
FROM: *[Signature]* R.D. Haas, Medical Services Manager
SUBJECT: Request for Investigation

An Incident Report (Form 105) dated 1/30/04 described an incident at SBWCC in which John Noak, M.D., PHS Regional Medical Director, allegedly pushed a PHS staff member and grabbed an offender.

In addition to the Form 105, I received verbal communication and supporting documentation from Lt. Christy Presley, that appears to indicate the incident represents an on-going pattern of behavior by Dr. Noak, which has had a continuing negative impact upon patient care and staff morale.

Based upon the information provided by Lt. Presley (attached), I believe that this situation warrants an official investigation to determine whether Dr. Noak's behavior contributes to a hostile environment for staff and offenders.



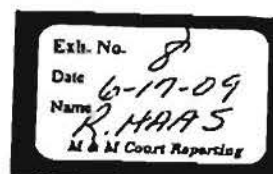
EXHIBIT

001124

DEPARTMENT OF CORRECTION

STAFF ISSUES REQUEST FOR INVESTIGATION

DATE	February 2, 2004	TIME	1450	LOG NO.	
TO:		OFFICE OF PROFESSIONAL STANDARDS (OPS)		Fax # 208-327-7433	
FROM	R. D. Haas, Medical Svc. Mgr.	WORK	Central Office		
	Contract Monitor	LOCATION			
Allegation Against		Allegation			
Name		Pushed a PHS employee, grabbed an offender, and created a			
John Noak M.D.		hostile environment. The incident allegedly occurred at SBWCC on			
Position		1/30/04 at 1700 hours.			
PHS Regional Medical Director					
Work Location					
Various					
A. PRELIMINARY INQUIRY INFORMATION: Attached					
Was Conducted By		R. D. Haas, Medical Services Manager			
Management Authority Signature				Date:	2/2/04
B. REQUEST FOR INVESTIGATION					
<input checked="" type="checkbox"/> Recommend Investigation		<input type="checkbox"/> Do Not Recommend Investigation			
Comments: Apparently an on-going behavior pattern. Need to determine the impact upon patient care.					
Management Authority Signature				Date:	
C. INVESTIGATION APPROVALS					
Division Administrator Signature				Date:	
Director Signature				Date:	
D. ADMINISTRATIVE LEAVE Requested & Approved <input type="checkbox"/> Yes <input type="checkbox"/> No					
<input type="checkbox"/> Without Pay <input type="checkbox"/> With Pay					
Management Authority Signature:				Date:	
Division Administrator Signature				Date:	
Director Signature				Date:	
E. INVESTIGATION					
<input type="checkbox"/> Internal		<input type="checkbox"/> Outside		<input type="checkbox"/> Law Enforcement	
Investigator Assigned					
OPS Signature				Date:	



IDOC3304



EXHIBIT

001126

COF 7

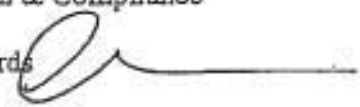
Exh. No.	6
Date	6-17-09
Name	R. HAAS
M & M Court Reporting	



Memorandum 04-003

State of Idaho
Board of Correction
Department of Correction
Office of Professional Standards

TO: Pam Sonnen, Operations Administrator
Paul Martin, Deputy Administrator, Evaluation & Compliance

FROM: Steven S. Wolf, Office of Professional Standards 

SUBJECT: OPS Review of David Haas' Request for Investigation

DATE: February 3, 2004

NOTICE OF CONFIDENTIAL OR PRIVILEGED INFORMATION

Unless you are the intended addressee, DO NOT read, copy or disseminate this file because it contains confidential and/or privileged information for the addressee only. If you have received this communication in error, please call us immediately at 658-2136 or 2137 and ask to speak to the sender. Also, please e-mail the sender to notify them that you have received this communication in error.

After review of Dave Haas' February 2, 2004 Memorandum, I would like to make the following recommendations:

1. According to Jauna Nicholson, Dr. Noak "inserted himself between myself and the patient, pushing me aside". Ms. Nicholson further indicated that Dr. Noak grabbed the inmate and forced her to walk down the hallway in what Nicholson described as an "aggressive irritated escort". Idaho Code §18-903 defines battery as the *willful and unlawful use of force or violence upon the person of another or the actual, intentional and unlawful touching or striking of another person against the will of the other*. Since there does not appear to be any reasonable belief that any use of force was warranted in this case, I believe if the facts portrayed are true, the incident could be criminal. I would therefore recommend that this matter be referred to the Ada County Sheriff's Office for further investigation.
2. Since Dr. Noak is licensed to practice medicine in the state of Idaho he is required to adhere to the IDAPA Rules for Licensure to Practice Medicine. IDAPA Rule 22.01.01, Section 101 (04) (d) states in part: *Engaging in any conduct which constitutes an abuse or exploitation of a patient arising out of the trust and confidence placed in the physician by the patient, includes but is not limited to (d) commission of any act of sexual contact, misconduct, exploitation or intercourse with a patient or former patient or related to the licensee's practice of medicine, is grounds for suspension, revocation or disciplinary sanctions*. Therefore, I would recommend that this incident be reported to the Idaho Board of Medicine so that they may effectuate an investigation into Dr. Noak's actions.
3. From a risk management standpoint, I believe that the Office of Professional Standards should initiate an investigation to prove the presence or absence of any misconduct on the part of any staff member, offender, or contractor in order to permanently document the incident in the event that any



future claims are made against the Department. If the incident is not documented, it leaves room for people to change their stories in the distant future.

SSW

EXHIBIT

001129

INMATE CONCERN FORM

Inmate Name: <u>Hernandez Norma</u>	Number: <u>71898</u>
Bunk Assignment <u>13-C</u>	Date: <u>2-3-04</u>
To: <u>LT Presley</u> (Person most directly responsible for issue/concern)	

Issue/Concern (Briefly explain problem)

I would like to file a police
report on DR. NOAK.
ASAP please

Inmate's Signature: Norma R. Hernandez

Staff Comments and Action Taken:

Date Received:

All information has been sent to Central
office for ~~evaluation~~ evaluation & action.

Signature/Title: Presley Date Signed and Mailed: 2/4/04

DISTRIBUTION: Both copies should be forwarded. Yellow copy will be returned to you with response
 WHITE - File YELLOW - Inmate



EXHIBIT
 001130
 24

EXHIBIT

001131



IDAHO DEPARTMENT OF CORRECTION

"Protecting You and Your Community"

DIRK KEMPTHORNE
Governor

THOMAS J. BEAULAIR
Director

February 4, 2004

Beverly Kendrick, Quality Assurance Specialist
Idaho State Board of Medicine
PO Box 83720
Boise, ID 83720-0058

Dear Ms. Kendrick:

Pursuant to IDAPA Rule 22.01.01, Section 101 (04) (d), IDOC is notifying the Idaho Board of Medicine of an occurrence that may warrant your investigation.

An incident occurred at the South Boise Women's Correctional Center (SBWCC) on January 30, 2004, involving John Noak, M.D. Allegedly, Dr. Noak pushed a staff member and grabbed an offender/patient.

Based upon information provided by the staff member (an employee of Prison Health Services, Inc.) and the patient, the Idaho Department of Correction (IDOC) will initiate an official investigation to determine whether Dr. Noak committed battery as defined by Idaho statute.

Pending the outcome of the investigation, IDOC will not allow Dr. Noak to enter any IDOC facility or provide direct medical services to any IDOC offender. This action was taken in the interest of ensuring the safety of staff and offenders.

Please contact me if additional information is required.

Sincerely,

R. D. Haas
Medical Services Manager

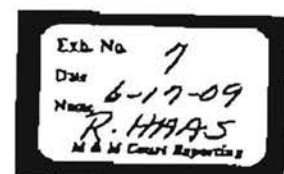


EXHIBIT
001133

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

JOHN F. NOAK, M.D.)

Plaintiff,)

vs.) Case No. CV OC 0623517

PRISON HEALTH SERVICES,)

INC., a subsidiary of) VOLUME I

AMERICAN SERVICES GROUP,)

INC.; IDAHO DEPARTMENT)

OF CORRECTION;)

RICHARD D. HAAS, and)

DOES 1-10,)

Defendants)

DEPOSITION OF RICHARD DAVID HAAS

JUNE 17, 2009

REPORTED BY:

BARBARA BURKE, CSR No. 463

Notary Public

1 THE DEPOSITION OF RICHARD DAVID HAAS was
2 taken on behalf of the Plaintiff at the Office of
3 the Attorney General, 954 West Jefferson Street -
4 2nd Floor, Boise, Idaho, commencing at 9:00 a.m.
5 on June 17, 2009, before Barbara Burke, Certified
6 Shorthand Reporter and Notary Public with and for
7 the State of Idaho in the above-entitled matter.

8 APPEARANCES

9 For the Plaintiff:

10 Comstock & Bush

11 By JOHN A. BUSH

12 199 North Capitol Boulevard, Suite 500

13 P.O. Box 2774

14 Boise, ID 83701-2774

15 For the Defendant Idaho Department of Correction:

16 Office of the Attorney General

17 By EMILY A. MAC MASTER

18 954 West Jefferson - 2nd Floor

19 P.O. Box 83720

20 Boise, ID 83720-0010

21 For the Defendant Prison Health Services:

22 Naylor & Hales, P.C.

23 By KIRTLAN G. NAYLOR

24 950 West Bannock, Suite 610

25 Boise, ID 83702

EXHIBIT

26

Page 2

1 thought of it that way. I never thought of how
2 long it might -- cooperation might extend.
3 Q. Well, in other words, you didn't expect
4 them not to cooperate at any point in time during
5 the investigation?

6 A. Well, I didn't have any expectation of
7 that. My expectation was for Mr. Dull to make
8 the request, and that was because that's what --
9 basically, that's what I was instructed to do.

10 Q. Okay.

11 (Exhibit 13 marked).

12 Q. (BY MR. BUSH) Mr. Haas, you have been
13 handed Deposition Exhibit 13, which is Bates
14 stamped IDOC0080.

15 MR. BUSH: It should be in Counsels'
16 packets that I gave you this morning.

17 MS. MAC MASTER: Have you had a chance
18 to review it?

19 THE WITNESS: Yes.

20 Q. (BY MR. BUSH) Do you recognize that
21 document?

22 A. Yes.

23 Q. And it's another 227 Form B; is that
24 correct?

25 A. It is a 227 Form B, that is correct.

1 Q. Is it different than the 227 Form B,
2 Exhibit 8, that we talked about earlier?

3 A. Yes.

4 Q. And what is the difference --

5 A. Well --

6 Q. Let me ask you this:

7 I obviously can look at the document
8 and see what the language says in terms of
9 difference, but why did you fill out this form
10 227B?

11 A. Exhibit 13?

12 Q. Yes.

13 A. Exhibit 13 is the final request.
14 Exhibit 8 was a draft.

15 The Exhibit 13 is the one that Mr. Wolf
16 instructed me on how to fill out after getting
17 the draft, Exhibit 8, that he said didn't have
18 enough information in there.

19 This is the one that actually went
20 through the official channels and was the request
21 that initiated the investigation, as I understand
22 it. If I could continue a little bit.

23 As I mentioned earlier, I had never
24 done one of these before, and so I did this one,
25 apparently he didn't think it was filled out

1 properly.

2 MS. MAC MASTER: Just so the record is
3 clear, when you're referencing, "this one,"
4 you're pointing to Exhibit 8?

5 THE WITNESS: Exhibit 8.

6 Q. (BY MR. BUSH) So we know from
7 Exhibit 8 that you filled out a formal Form 227B --
8 or 227 Form B, whatever the proper terminology is --
9 and then another one was filled out nine days
10 later on February 11th, 2004; correct?

11 A. Yes.

12 Q. Okay. So tell me, as best that you can
13 recall, what happened in those nine days such
14 that that led to your filling out and submitting
15 Exhibit 13?

16 A. To the best of my knowledge, meetings
17 were held that I was not a part of. This final
18 one is the result of Steve Wolf coming back and
19 saying that Exhibit No. 8, the first one, wasn't
20 good enough.

21 I have no idea who he met with, when he
22 met, or what these meetings were about when he
23 came back and instructed me how to fill this out.

24 Q. Between -- well, let me ask you this:

25 If you can recall, when did Mr. Wolf

1 come back to you and instruct you how to fill out
2 Exhibit 13?

3 A. I don't remember.

4 Q. Can you recall whether it was the same
5 day as you filled it out, the day before, two
6 days before?

7 A. I can't recall, but I know the way I
8 understood this form that the date and time were
9 to be the date and time that the form was filled
10 out. So that's the date and time that the form
11 was filled out, as I understand the way the form
12 was supposed to be done.

13 Q. So at least sometime prior to 1:00 in
14 the afternoon on February 11th, 2004, you had a
15 discussion with Mr. Wolf regarding Exhibit 13
16 in terms of the proper way to fill it out and I
17 gather what he wanted to see. Is that fair?

18 A. Yes.

19 Q. Between February -- and I'm trying to
20 help you, you know, with some time frames -- but
21 between February 2nd and February 11th, so far
22 we have discussed a meeting that you had with
23 Mr. -- the group, I'll just refer to it as "the
24 group" for right now -- but a meeting with the
25 group regarding the Beverly Kendrick letter, a

1 (Exhibit 20 marked).
2 MR. NAYLOR: Is that the Beverly Kendrick
3 letter?
4 MR. BUSH: Yes.
5 Q. (BY MR. BUSH) Mr. Haas, you have been
6 handed Deposition Exhibit 20, which appears to be
7 IDOC0004, which I'll represent to you is a letter
8 dated March 15th, 2004, addressed to Beverly
9 Kendrick and has your signature on it. Please
10 take as much time as you need to review the
11 letter.

12 A. Okay.

13 Q. Was this letter sent?

14 A. I believe so.

15 Q. Why was it sent?

16 A. I was directed to send it.

17 Q. By whom?

18 A. Steve Wolf.

19 Q. Anybody else?

20 A. Well, of course. Steve Wolf did not
21 give me direct orders. My direct orders came
22 from my supervisor, Paul Martin.

23 Q. So --

24 A. By Paul Martin.

25 Q. So he would be included in who directed

Page 171

1 you to send the letter?

2 A. Yes.

3 Q. Did you draft the letter?

4 A. Well, here again, I typed it based on
5 information that was given to me by the attorney
6 and by Steve Wolf.

7 Q. You signed it?

8 A. Yes.

9 Q. Did you agree with it?

10 A. Yes.

11 Q. Prior to sending the letter, did you
12 look at IDAPA Rule 22.01.01, Section 101(04)?

13 A. I don't remember when I read that rule.

14 Q. And using the language, "Pursuant to --"
15 and then you referred to the IDAPA rule, you
16 write, "The Idaho Department of Correction (IDOC)
17 is notifying the Idaho Board of Medicine of an
18 occurrence that may warrant your investigation."
19 Do you see that?

20 A. Yes.

21 Q. Is it your recollection or your --
22 strike that.

23 In the context of the letter, was it
24 your intent to indicate that there was something
25 in the IDAPA rule that compelled you to notify

Page 172

86 (Pages 171 to 172)

EXHIBIT

001138



IDAHO DEPARTMENT OF CORRECTION

"Protecting You and Your Community"

DIRK KEMPTHORNE
Governor

THOMAS J. BEAUCLAIR
Director

February 5, 2004

Richard D. Dull, Regional Vice President
Prison Health Services, Inc.
1111 South Orchard, Suite 242
Boise, Idaho 83705

Dear Mr. Dull:

An incident occurred at South Boise Women's Correctional Center (SBWCC) on January 30, 2004, involving John Noak, M.D. Allegedly, Dr. Noak pushed a PHS staff member and grabbed an offender.

IDOC has a compelling interest to defend against potential litigation related to our constitutional obligation to ensure the safety of our offender population.

IDOC will initiate an inquiry to determine whether Dr. Noak may have violated terms of the contract between IDOC and PHS. IDOC requests that PHS encourage Dr. Noak to cooperate fully with the inquiry. Should the inquiry determine the need to inform the Idaho Board of Medicine and other authorities, such notifications will be made by IDOC.

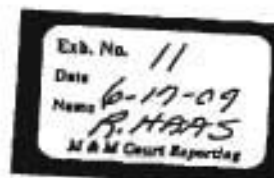
Preliminary information indicates that Dr. Noak's behavior, in this and other situations, has generated concerns related to the possibility of his contributing to a strained, if not hostile, health care environment. Concerns regarding Dr. Noak's attitude and behavior, expressed on numerous occasions by IDOC managers to you and Mr. Harrington, appear to have been ignored, as the problem has grown seemingly more pronounced.

Pending the outcome of the inquiry, IDOC is requesting that PHS take action to ensure that Dr. Noak understands the potential gravity of the situation as it relates to PHS's ability to fulfill its contractual obligation to provide care that is consistent with IDOC policies, NCCHC and Eighth Amendment standards.

Sincerely,

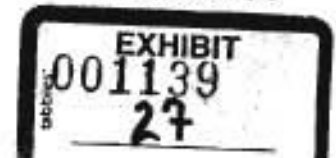
R. D. Dull
Medical Services Manager

cc: Rod Holliman
Thomas J. Beauclair



COPY

IDOC0109



EXHIBIT

001140



IDAHO DEPARTMENT OF CORRECTION

"Protecting You and Your Community"

DIRK KEMPTHORNE
Governor

THOMAS J. BEAUCLAIR
Director

February 5, 2004

Richard D. Dull, Regional Vice President
Prison Health Services, Inc.
1111 South Orchard, Suite 242
Boise, Idaho 83705

Dear Mr. Dull:

An incident occurred at St. Anthony Work Camp (SAWC) on January 17, 2004, involving Lisa Bell, Dental Assistant. Allegedly, Ms. Bell pushed an offender.

The incident resulted in a complaint of battery, which was filed with the St. Anthony Police Department. The St. Anthony Prosecuting Attorney is investigating to determine whether battery charges will be filed against Ms. Bell.

IDOC has a compelling interest to defend against potential litigation related to our constitutional obligation to ensure the safety of our offender population.

IDOC will initiate an inquiry to determine whether Ms. Bell may have violated terms of the contract between IDOC and PHS. IDOC requests that PHS encourage Ms. Bell to cooperate fully with the inquiry. Should the inquiry determine the need to inform other authorities, such notifications will be made by IDOC.

Pending the outcome of the inquiry, IDOC is requesting that PHS take action to ensure that Ms. Bell understands the potential gravity of the situation as it relates to PHS's ability to fulfill its contractual obligation to provide care that is consistent with IDOC policies, NCCHC and Eighth Amendment standards.

Sincerely,

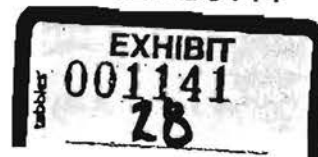
R. D. Haas
Medical Services Manager

cc: Rod Holliman
Thomas J. Beauclair



RECEIVED
FEB 06 2004
OPS

IDOC0111



EXHIBIT

001142

Dull, Rick

From: Dull, Rick
Sent: Friday, February 06, 2004 1:47 PM
To: Holliman, Rodney
Cc: Byassee, Jean
Subject: IDOC Letters

Rod:

I have faxed to Delores two letters that I have received today during a meeting with our Contract Monitor David Haas. David was kind enough to give me a "heads - up" informal meeting before the letters arrived. The tone of the meeting was non-confrontational, actually rather informal on their intentions. Whereas it is clear that the IDOC holds these complaints as very serious, David also recognizes that offenders are apt to exaggerate events. Either way, an internal inquiry will be made in both incidents. David has asked that we provide full co-operation, allowing involved employees to speak to the people doing the inquiry. David stated that this is no headhunting expedition, doesn't expect the suits to proceed, but is a means to protect themselves from litigation and liability.

Regarding the incidents:

SAWCC - On 1/17/04 PHS employees Dentist Mark Cushing and Dental Assistant Lisa Bell were doing an onsite dental clinic. The accusation is that Ms. Bell pushed herself by an offender that was in the adjoining hallway, stating "get out of the way, some of us have to work". From my conversations, the 'shove' was incidental at best, and the remarks were said by Ms. Bell, but in her usual humorous way with no malicious intent. The inmate has never asked to be seen by medical as a result of the incident, and filed a grievance some three days later after speaking to family. Ms. Bell has been an excellent employee, with no history of complaints registered against her. I have addressed the inmate's grievance as per IDOC policy, to the satisfaction of David Haas, who stated that it was a good and appropriate response. HSA Larry Hynes has spoken to Ms. Bell, and counseled her on the event. To elevate any further incidents, I have implemented some dental clinic changes that include having our Nurse out on Saturdays to facilitate the clinic; and using a nearby dayroom for a "waiting room" to eliminate any bunching of inmates in the hallway. I really do think that nothing will come of this, no harm done, no foul, but, nevertheless, do understand the gravity of the situation. As to the police investigation, I am led to believe that information was gathered preliminarily, and no follow-up has been made as of yet.

SBWCC - On 1/29/04 an inmate presented with pain of unknown origin, was diagnosed by the PA with potential kidney or gall stones, and was started on IV hydration and some pain meds. On Friday CMS Jana Nicholson notified Dr. Noak of the inmate's continuing pain, he advised her to continue the IV fluids and to monitor vitals and to strain urine. By 7:00 pm due to continued complaints of pain, the patient was sent to the local hospital for an IVP to diagnose for kidney stones. Test came back negative. On Friday Dr. Noak went to see the patient, had the medical contact, and as the inmate proceeded to leave she became "wobbly" upon rising and walking down the hall. It is here that the inmate claims Dr. Noak slammed down her chart on the desk, rose, pushed the CNA out of the way, and grabbed her by the arm. Dr. Noak explains it that he saw the inmate begin to fall, rushed to her assistance by supporting her with her arm. He moved passed the CNA, a female of slighter build, to ensure that he could catch her. Dr. Noak then escorted the inmate down the hall to her room. Again, the contact seems incidental, non-malicious, and nothing should come of it legally.

I do disagree that both Lee and I have failed to address Dr. Noak's behavior. I have spent much time sharing my collective Correctional Care experience with John, advising him to develop a more caring bedside manner, softening up his approach, and quite frankly have noticed much improvement. My HSA's have commented on the improvement to me. I addressed this issue with David Haas, who explained that his "seemingly more pronounced" refers to this issue and some in the distant past.

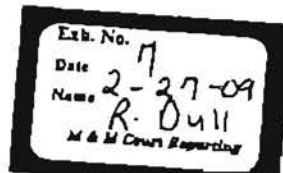
The letters ask for cooperation by all parties, I don't see any problems...and don't really see how we could not cooperate. There has been no suggestion that the IDOC wants to "lock out" either individual, but that is a possible, though unlikely, complication. David Haas stated that he has no plans to forward any complaints to the Idaho Board of Medicine, but lists these as possible actions of an unfavorable inquiry.

I will again speak to John Noak about the perception that his less than tactful actions may jeopardize his future here and could potentially have serious impact on our Contract.

I don't believe that these two events represent an underlying pattern, but nevertheless will begin a site - by site remedial effort in patient / client interactions.

I will keep you posted at each step of the developing inquiry. Should we get legal involved, risk management? Your

1



PHS 7



advice is requested thanks
Rick

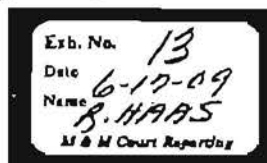
EXHIBIT

001145

DEPARTMENT OF CORRECTION

STAFF ISSUES REQUEST FOR INVESTIGATION

DATE	February 11, 2004	TIME	1300	LOG NO.	187
TO:		OFFICE OF PROFESSIONAL STANDARDS (OPS)		Fax # 208-327-7433	
FROM	R. D. Haas, Med. Svc. Mgr.	WORK	HQ		
	Contract Monitor	LOCATION	HRS		
Allegation Against		Allegation			
Name John Noak		1) Battery - I. C. 18-903 - Pushed a PHS employee and grabbed an offender.			
Position PHS Regional Medical Director		2) Violation of Contract #CPO 01131, 11.01 03: Failure to comply with State statutes, regulations and/or guidelines.			
Work Location SBWCC		3) Violation of Contract #CPO 01131, 11.01 00: Failure to comply with NCCHC Standard, P-A-01, "Access to Care."			
A. PRELIMINARY INQUIRY INFORMATION: Attached					
Was Conducted By		Richard D. Haas, Medical Services Manager			
Management Authority Signature		<i>Richard D. Haas</i>		Date:	02/11/04
B. REQUEST FOR INVESTIGATION					
<input checked="" type="checkbox"/> Recommend Investigation <input type="checkbox"/> Do Not Recommend Investigation					
Comments:					
Management Authority Signature		<i>John Noak</i>		Date:	2/12/04
C. INVESTIGATION APPROVALS					
Division Administrator Signature		<i>[Signature]</i>		Date:	2/12/04
Director Signature		<i>[Signature]</i>		Date:	2/13/04
D. ADMINISTRATIVE LEAVE Requested & Approved <input type="checkbox"/> Yes <input type="checkbox"/> No					
<input type="checkbox"/> Without Pay <input type="checkbox"/> With Pay					
Management Authority Signature:		<i>[Signature]</i>		Date:	
Division Administrator Signature		<i>[Signature]</i>		Date:	2/12/04
Director Signature		<i>[Signature]</i>		Date:	
E. INVESTIGATION					
<input checked="" type="checkbox"/> Internal <input type="checkbox"/> Outside <input checked="" type="checkbox"/> Law Enforcement AC50					
Investigator Assigned		S. WOLF / DETECTIVE LUKASIK			
OPS Signature		<i>[Signature]</i>		Date:	2/12/04

HRS 227 Form B revised 02/11/04
2/2002

Copy to D Haas on 2/17/04

IDOC0080



EXHIBIT

001147

Dull, Rick

From: Dull, Rick
Sent: Thursday, February 12, 2004 3:23 PM
To: Hollman, Rodney
Cc: Byassee, Jean
Subject: RE: IDOC Letters

Exh. No. 10
Date 2-27-09
Name R. Dull
At & At Court Reporting

As a follow-up:

We have been informed that the female Inmate at SBWCC has asked that Ada County do an investigation on her claim of 'Battery' against Dr. John Noak. An officer with the ADA County Sheriff's Department will be contacting Dr. Noak today to question him in this matter.

I met with the SBWCC PHS staff involved in that incident on Monday, to hear of the events as they recall them. I also met with the site administrator, Lt. Pressley on that date to listen, do some damage control, and to form a plan on how to move forward; ie: monthly staff meetings at SBWCC rather than the present combined meetings with the parent site SICI; team building involving RVP, HSA, RMD, and all medical providers; initiation of a formal biweekly Psych clinic; initiation of a local Gynecology contract; and procurement of a CPAP unit for use at SBWCC. I had thought the day was productive.

As to how to address some claims by our own staff that at times Dr. Noak displays other than courteous efforts with them, I have counseled John and will include this in his Personnel Jacket as a verbal warning, since it is really the first formal complaint of this nature.

I will keep you posted.

Rick

---Original Message---

From: Dull, Rick
Sent: Friday, February 06, 2004 12:47 PM
To: Hollman, Rodney
Cc: Byassee, Jean
Subject: IDOC Letters

Rod:

I have faxed to Delores two letters that I have received today during a meeting with our Contract Monitor David Haas. David was kind enough to give me a "heads - up" informal meeting before the letters arrived. The tone of the meeting was non-confrontational, actually rather informational on their intentions. Whereas it is clear that the IDOC holds these complaints as very serious, David also recognizes that offenders are apt to exaggerate events. Either way, an internal inquiry will be made in both incidents. David has asked that we provide full co-operation, allowing involved employees to speak to the people doing the inquiry. David stated that this is no headhunting expedition, doesn't expect the suits to proceed, but is a means to protect themselves from litigation and liability.

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SBWCC - On 1/29/04 an inmate presented with pain of unknown origin, was diagnosed by the PA with potential kidney or gall stones, and was started on IV hydration and some pain meds. On Friday CMS Jana Nicholson notified Dr. Noak of the inmate's continuing pain, he advised her to continue the IV fluids and to monitor vitals and to strain urine. By 7:00 pm due to continued complaints of pain, the patient was sent to the local hospital for an IVP to



EXHIBIT

001149

1

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA
CASE NO. CV OC 0623517

JOHN F. NOAK, M.D.,

Plaintiff,

-vs-

PRISON HEALTH SERVICES, INC., a
subsidiary of AMERICAN SERVICES
GROUP, INC.; IDAHO DEPARTMENT OF
CORRECTION; RICHARD D. HAAS; and
DOES 1-10,

Defendants.

Downtown Reporting
337 East Las Olas Boulevard
Fort Lauderdale, Florida
9:05 a.m. - 2:45 p.m.
September 12, 2009

- - - - -

DEPOSITION

OF

STEVEN WOLF

- - - - -

1 A. Yes.	1 Q. Okay. Do you recall any particular reason
2 Q. And that of Ms. Hernandez, correct?	2 why you didn't sit in with Detective Lukasik?
3 A. Yes.	3 A. I don't recall a specific reason why I did
4 Q. Would you agree, Mr. Wolf, that consistent	4 not sit in on it.
5 with all four versions, that being Ms. Hernandez,	5 Q. And so from that, is it fair for me to
6 Dr. Noak, Ms. Nicholson, and Ms. Barrett, that all four	6 conclude that you were not excluded from the interview.
7 agree that what was occurring in that hallway in that	7 to your recollection or knowledge?
8 snippet of time was a response to a medical condition	8 A. No, I don't know if I was excluded or asked
9 that inmate Hernandez was experiencing?	9 to participate. I really don't know why I wasn't there
10 MS. MacMASTER: Objection to the form of	10 Q. In your summary, you indicate on March 9th,
11 the question. Vague and ambiguous as to	11 Detective Lukasik notified you that Ada County
12 "snippet."	12 Prosecutor's Office declined to prosecute Dr. Noak for
13 THE WITNESS: I don't know.	13 the alleged battery; is that correct?
14 BY MR. BUSH:	14 A. Yes
15 Q. Okay. Let me ask it this way.	15 Q. And you also, for the alleged battery
16 You would agree, Dr. Noak, at least	16 against Norma Hernandez and Jana Nicholson, did you have
17 according to your summary, slipped out of the exam room	17 an understanding prior to March 9, 2004, that
18 because he heard someone say, "are you going to faint?"	18 Jana Nicholson was also claiming to have been battered?
19 A. I would say factually that's correct.	19 A. I believe so. I believe that that was my
20 Q. Okay. You would agree that Ms. Nicholson	20 understanding that there was an allegation against
21 was assisting Ms. Hernandez out in the hallway,	21 Hernandez and Nicholson.
22 apparently assisting her to the wall because she was	22 Q. Do you have any recollection as to whether
23 concerned about Ms. Hernandez's medical condition?	23 she, being Ms. Nicholson, did that on her own? In other
24 A. Yes.	24 words, she made an independent complaint with Ada County?
25 Q. Ms. Hernandez testified and told you in the	25 A. I know she sent in a report, I don't know
90	92
1 interview that she was -- me paraphrasing -- was not	1 if there was one sent to Ada County, or if she on herself
2 feeling well and unsteady on her feet?	2 or by herself initiated some kind of complaint. I don't
3 A. Correct.	3 recall off the top of my head.
4 Q. Yes. And Ms. Barrett was in the hallway as	4 Q. When you use the word "report," are you
5 well, correct?	5 referring to the statement that she drafted shortly after
6 A. Correct.	6 the incident?
7 Q. Do you recall what Ms. Barrett said in	7 A. Yes.
8 terms of why or what she was doing relative to the	8 Q. Do you have any recollection as to whether
9 condition of Ms. Hernandez?	9 or not she was invited to file a complaint against
10 A. She was assisting	10 Dr. Noak by Detective Lukasik?
11 Q. Okay. And so all four of those people all	11 A. I don't.
12 consistently stated that Ms. Hernandez was having a	12 Q. Other than what's in your interview
13 medical event; would you agree with that?	13 summary, in your investigation, in your interview
14 A. I would agree with that, yes.	14 summary. Other than what's in your investigation report
15 Q. On Page 11 of your report, under the	15 that's Exhibit No. 1, regarding Detective Lukasik's
16 provision, "March 1st," do you see that?	16 notification to you, do you recall anything else about
17 A. Yes.	17 any conversations with him regarding any decision by the
18 Q. And then you can go through those two	18 County not to prosecute?
19 paragraphs, but that refers to your attempts to interview	19 A. I don't.
20 Dr. Noak, correct?	20 Q. Did you ever talk to anybody at Ada County
21 A. Yes.	21 about their decision?
22 Q. Why did you want to interview him again?	22 A. I don't believe I did.
23 A. He was the principal in the allegation, and	23 Q. Do you recall that Dr. Noak was terminated
24 I wanted to give him an opportunity to explain what	24 by PHS?
25 happened from his perspective.	25 A. I don't know if he was or not.
91	93

1 A. Okay.	1 their own.
2 Q And you've also got Page 7 of your report?	2 MR. NAYLOR: No further questions.
3 A Yes.	3
4 Q Up at the top, you're interviewing	4 CROSS-EXAMINATION
5 Jana Nicholson, and in the third line down it says:	5 BY MS. MacMASTER:
6 "Nicholson said that in an aggressive	6 Q Mr. Wolf, could you take a look at
7 manner, she was shoved aside and off balance by Dr. Noak,	7 Exhibit 16 from Haas's deposition.
8 and that Dr. Noak forcefully grabbed Hernandez under	8 A Yes.
9 Hernandez's right arm."	9 Q Start that over. Excuse me.
10 A Correct.	10 Let me have you take a look at Exhibit 13
11 Q And then down a little, the next paragraph,	11 from Haas's deposition.
12 the second paragraph says:	12 On the section of this form, 227B, where it
13 "Nicholson said that Noak quickly escorted	13 lays out the allegations, and there's point one, point
14 Hernandez down the hallway."	14 two, and point three concerning allegations of battery,
15 Now, you were asked about Exhibit 16 and	15 allegations of violation of the contract, and allegations
16 the phrase under the accusation:	16 of violations of NCCHC standard PA01. Generally, what's
17 "Dr. Noak shoved a PHS staff member and	17 the purpose of setting forth those allegations in a form
18 forcefully grabbed Offender Hernandez by the arm and	18 227B?
19 aggressively escorted Hernandez back to her room."	19 A This is the initial, as I indicated
20 Now, having had an opportunity to review	20 earlier, the initial charging document where a basic list
21 your investigation report, do you know where you came up	21 of the charges is put in one place to show the director,
22 with that verbiage in Exhibit 16 under "Accusation?"	22 and kind of give a focus to the initial aspect of the
23 A Probably, in part, from that paragraph	23 investigation.
24 right there.	24 Q And as these allegations are set forth,
25 Q In your summary it says "shoved;" is that	25 once you get into the investigation, if you learn
134	136
1 right?	1 additional information that goes beyond the scope of
2 A Yes	2 those initial charges, are you required to ignore that
3 Q And it says, "forcefully grabbed Hernandez,"	3 new information and not investigate?
4 correct?	4 A Of course not.
5 A Correct.	5 Q Why is that?
6 Q And then it says that he, "quickly escorted	6 A When we do an investigation, if we come
7 Hernandez down the hall." It doesn't say, "aggressively	7 across additional violations where we have a duty and an
8 escorted," does it?	8 obligation to investigate those to provide a safe
9 A No	9 environment for the offenders and the staff and visitors
10 Q Okay. Did you draw any conclusions as a	10 to the facility to make sure there's not a security risk.
11 result of your investigation report and make	11 Q And on this Form 227B, down in Section E
12 recommendations?	12 where it states "Investigation," there's a check on the
13 A That was not our protocol for me to draw a	13 box for "internal," right?
14 conclusion in the report and make recommendations.	14 A Yes.
15 Q Did any PHS employee who you interviewed,	15 Q What was that intended to mean?
16 tell you that they wanted Dr. Noak to be fired?	16 A The internal investigation is what I was
17 A I don't know that they actually used those	17 conducting. The external investigation, the criminal
18 words. But I do believe that that was what they were	18 allegations is what was being investigated by law
19 trying to get across, both Victoria Weremecki, I believe	19 enforcement. What you see is also checked.
20 was trying to get that point across, and so was Jana	20 So there's actually several parts to the
21 Nicholson.	21 investigations. There's the internal or administrative
22 Q Did you find that Vicky Weremecki and	22 investigation, and the external, which is done by law
23 Lisa Mays corroborated Jana Nicholson's allegations	23 enforcement in regards to the criminal. And then you
24 concerning Dr. Noak's conduct?	24 have another piece, and that's the contractor, if they
25 A I think they corroborated and added some of	25 choose to investigate. So that's kind of the third piece
135	137

1 that a person in Hernandez's condition should never have 2 been ambulated."	1 don't you know it's not as pretty at Pocatello. If I 2 send you back there, I suggest you heal real quick.
3 Is that correct?	3 Hernandez indicated that she took this comment as a 4 threat."
4 A. Yes.	5 Based upon your understanding, and your 6 interview of Norma Hernandez, do you believe that that 7 would have exhibited punishing inmates for seeking care 8 for their serious health needs?
5 Q. And is the quoted portions of your report, 6 are those direct quotes, to the best of your --	9 MR. BUSH: Objection. Form. 10 THE WITNESS: Yes, I do.
7 A. Yes.	11 BY MR. NAYLOR:
8 Q. -- knowledge?	12 Q. And would that also, in your estimation, 13 deter inmates from seeking care for their serious health 14 needs?
9 If you can turn to Exhibit 15 of Mr. Haas's 10 deposition. These are the NCHC Standard Actions.	15 A. Yes.
11 A. If you give me a moment.	16 Q. Or at least raise concerns about that?
12 Q. Okay. Exhibit 15.	17 A. Yes.
13 A. Okay. 15.	18 MR. BUSH: Same objection.
14 Q. And this was the access to care standards. 15 And I believe you were asked some questions about your 16 use of the phrase, under the compliance statutes dealing 17 with abuse. And if you look down under "Discussion," 18 next paragraph, it says:	19 BY MR. NAYLOR:
19 "Unreasonable barriers to inmates' access 20 to health services are to be avoided. Examples of 21 unreasonable barriers include the following: Punishing 22 inmates for seeking care for their serious health needs."	20 Q. While we're on your report, on page -- I 21 think it's Page 11, you indicate on March 1st, 2004, that 22 you had made contact with Dr. Noak for purposes of 23 interviewing him. Do you see that?
23 And, number three: "Deterring inmates for 24 seeking care for their serious health needs?"	24 A. Yes.
25 And in the course of your investigation	25 Q. And then his attorney at that time told you
130	132
1 concerning Norma Hernandez and Dr. Noak, did you find 2 facts, at least alleged, supporting violations of those 3 standards of care?	1 that he did not want to allow Dr. Noak to be -- to 2 participate in the interview pending the completion of 3 the criminal investigation by the Dade County Sheriff's 4 Office, correct?
4 A. I believe I did.	5 A. Correct.
5 Q. And what were those, to your recollection?	6 Q. Now, and then you go on to say on March 9th 7 that you learned that the Ada County Prosecutor's Office 8 had declined prosecution on both battery charges 9 involving Norma Hernandez and Jana Nicholson, correct?
6 A. To my recollection, there were situations 7 in which Dr. Noak was asked to come to the facility on a 8 number of different occasions where he never showed up. 9 Where he said he was out duck hunting.	10 A. Correct.
10 There were instances where, at least in one 11 case, one offender was not given access to treatments for 12 hepatitis C, and other instances there were allegations 13 that Dr. Noak had placed ammonia inhalants up an 14 offender's nose. That he was using a scalpel, the same 15 scalpel on several different offenders, without -- 16 actually, he should have disposed of the scalpel, it was 17 a disposable scalpel, it wasn't properly cleaned.	11 Q. So did Dr. Noak or his attorney contact you 12 after March 9th to reschedule his interview with you?
18 That's all I can think of off the top of my 19 head.	13 A. No.
20 Q. If you look in your report up here, 21 Exhibit 1, Page 2 in your interview summary of 22 Norma Hernandez, about the third paragraph, it starts 23 off:	14 Q. And yet, your investigation continued for 15 several days after that time --
24 "Hernandez said that just prior to reaching 25 her room, Dr. Noak commented something to the effect of,	16 A. Yes.
131	17 Q. -- from March 9th, right? 18 And would you turn to Page 7 of your 19 report. 20 And also pull out Exhibit 16 of Mr. Haas's 21 deposition. 22 A. Exhibit 16? 23 Q. Yes. 24 A. That's this one here? 25 Q. Correct.
	133

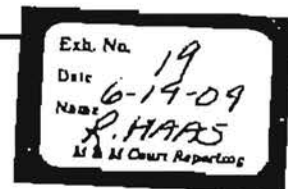
1	timeframe, she was promoted to health services	1	have been asked about it, what I thought should be in
2	administrator."	2	there, but I can't remember specifics about that.
3	Do you see that?	3	Q. Do you know if the letter was sent?
4	A. Yes.	4	A. I don't. You had asked me that earlier,
5	Q. That would have to be at least September or	5	and I don't recall if I had sent -- if it was sent.
6	October of 2002 or before; would you agree?	6	Q. No. The one I asked you earlier was one of
7	MS. MacMASTER: Objection to the form of	7	a different date. This one relates to March 15th of
8	the question.	8	2004. Do you know whether this particular letter was
9	THE WITNESS: Let me just read through this	9	sent?
10	for a second.	10	A. I don't have any independent knowledge that
11	Okay. What is your question again?	11	it was sent. It would just be an assumption on my part
12	BY MR. BUSH:	12	that it was.
13	Q. Well, it's not dated, but if Ms. Mays had	13	Q. Do you have any recollection of whether
14	started with the Air Force base in approximately March of	14	your approval of this letter was necessary before it was
15	2003 --	15	sent out?
16	A. Right.	16	A. I know that my approval would have had no
17	Q. -- and when she refers to this September,	17	bearing on whether the letter was sent out or not.
18	October timeframe when she was promoted to the health	18	Q. So from that, I take it that the letter did
19	services administrator, that would have to be at least no	19	not go out at your request?
20	earlier than 2002 -- or no later than 2002.	20	A. I know that there were discussions about --
21	In other words, it would be September or	21	well, to answer your question, no. It wouldn't have gone
22	October of 2002, because in 2003 she would have been at	22	out at my request. But I know that I had discussed with
23	the Air Force base?	23	people about notifying the Medical Board, that I thought
24	A. That's a good assumption.	24	that that was something that should be done.
25	Q. Do you know when Dr. Noak started with PHS?	25	But I didn't actually request that a letter
106		108	
1	A. I don't	1	be sent, or -- it wasn't my decision to prepare the
2	Q. At the time that you interviewed	2	letter. It was just something that I recommended.
3	Victoria Wercnecki, did you know that Dr. Noak had been	3	Q. Do you recall whether you reviewed the
4	terminated by PHS?	4	letter, either in its current form, or in some draft
5	A. I don't remember if I knew or not.	5	form, prior to March 15th, 2004?
6	Q. At the time that you interviewed Lisa Mays,	6	A. I can't state with any certainty that I
7	did you know whether Dr. Noak had been terminated by PHS?	7	did, but I may have.
8	A. I don't remember	8	Q. As of March 15th, 2004, you knew that Ada
9	Q. I'm going to hand you what's been	9	County had chosen not to prosecute the allegations and
10	previously marked in this case as Exhibit No. 20 in the	10	battery against Dr. Noak, true?
11	deposition of Mr. Haas	11	A. Yes.
12	I'll represent to you it's a letter dated	12	Q. Would you agree that at least in
13	March 15th, 2004 to a Beverly Kindrick signed by	13	Exhibit 20, there's no indication in that letter, that
14	Mr. Haas	14	Ada County had investigated Dr. Noak and had chosen not
15	Have you seen that letter before?	15	to prosecute criminally?
16	A. I saw it today and last night. And I may	16	A. I don't believe there's anything in this
17	have seen it prior to that.	17	letter addressing that; if that's your question.
18	Q. Do you know who drafted this letter?	18	Q. Do you have any knowledge as to why that
19	A. Mr. Haas	19	information is not included in the letter?
20	Q. Did you have any role in drafting the	20	A. It would only be speculation.
21	letter?	21	Q. So from that, I gather, it wasn't something
22	A. I may have, but I can't recall. I may have	22	that you recall being discussed during any of your
23	given -- made a comment, made some kind of statement in	23	meetings?
24	regards to what was in there. But I don't have any	24	A. I don't recall any specifics of this letter
25	specific recollection of assisting in drafting it. I may	25	being discussed at the meetings, no.
107		109	

EXHIBIT

001155

Steven Wolf - RE: Updates?

From: "Dull, Rick" <dullrd@asgr.com>
To: Richard Haas <rhaas@corr.state.id.us>
Date: 03/09/2004 08:26
Subject: RE: Updates?



David:
I spoke to the Ada County Detective assigned to the case, Detective Lukasik, this morning at 0800. According to the Detective, charges have not been filed and the Prosecutor has declined the cases.

Will the IDOC Internal Investigation soon come to their findings ? I await their final determination as to decide how we will proceed.

thanks...
Rick

---Original Message---

From: Richard Haas [mailto:rhaas@corr.state.id.us]
Sent: Monday, March 08, 2004 4:36 PM
To: Dull, Rick
Subject: Re: Updates?

Rick,

You may wish to contact the Ada County Sheriff's office for more information.

David

R. D. Haas
Medical Services Manager
Idaho Department of Correction
(208) 658-2130
E-mail: rhaas@corr.state.id.us

>>> "Dull, Rick" <dullrd@asgr.com> 03/08/04 01:02PM >>>

David : day 25 of the suspension pending the outcome of the investigation... and holding...any word yet?
I know that I am on your 'notify immediately' list , but was curious as to any progress toward final decision...

antsy in Boise.. thanks
Rick

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IDOC0279

03/26/2004



Dull, Rick

From: Richard Haas
Sent: Monday, March 08, 2004 4:36 PM
To: Dull, Rick
Subject: Re: Updates?
Rick,

You may wish to contact the Ada County Sheriff's office for more information.

David

R. D. Haas
Medical Services Manager
Idaho Department of Correction
(208) 658-2130
E-mail: rhaas@corr.state.id.us

3/9/04 call placed 8:10am

Detective Assigned Lukasik
Case #

Spoke to Prosecutor - charges not filed / prosecution declined

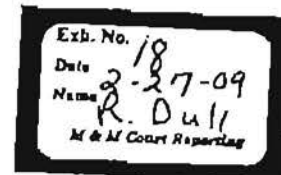
>>> "Dull, Rick" <dullrd@asgr.com> 03/08/04 01:02PM >>>

David : day 25 of the suspension pending the outcome of the investigation... and holding...any word yet?
I know that I am on your 'notify immediately' list , but was curious as to any progress toward final decision...

antsy in Boise.. thanks
Rick

This email has passed through the Idaho Department of Correction global email scanning system to help protect you from viruses and our network from outside security threats

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3/9/2004

PHS 45

001157

EXHIBIT

001158

FAX TRANSMISSION

IDAHO DEPARTMENT OF CORRECTION EVALUATION AND COMPLIANCE

1299 N. Orchard

Boise, ID 83706

208-658-2130

Fax: 208-327-7007

To: RICK DULL
Regional Vice President

Date: March 9, 2004

Fax #: 208-342-8130

Pages: 2, including this cover sheet.

From: *R. David Haas*
R. David Haas, Medical Services
Manager

Subject: Attached Letter

CONFIDENTIAL

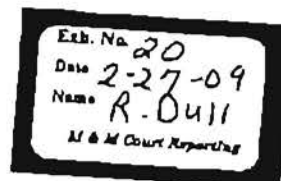
3/9/04 11⁰⁰am
As received, post phone notification by R.D. Haas, at
IMSI during MAC meeting. Rick

Confidentiality Notice

This message is intended only for the use of the individual or entity to which it is addressed and contains information that is privileged, confidential, and exempt from disclosure under applicable law.

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If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. postal Service. Thank you.



PHS 48

001159

EXHIBIT

34



IDAHO DEPARTMENT OF CORRECTION

"Protecting You and Your Community"

DIK KEMPTHORNE
Governor

THOMAS J. BEAUCLAIR
Director

March 9, 2004

Richard D. Dull, Idaho Regional Vice President
Prison Health Services, Inc.
1111 South Orchard Street, Suite 242
Boise, ID 83705

Dear Mr. Dull:

As you are aware, the Idaho Department of Correction (IDOC) has been conducting an internal investigation relating to allegations against Dr. John Noak, Prison Health Services (PHS) Idaho Regional Medical Director. Pending the outcome of the investigation, Dr. Noak was denied access to all IDOC facilities.

Our investigation has revealed that Dr. Noak demonstrated a pattern of unprofessional conduct which violated standards of the National Commission on Correctional Health Care (NCCCHC), contributed to a hostile environment for staff and offenders, and disrupted the orderly operation of our facilities.

Contract #CPO 01131, Section 07.05.08, provides IDOC the authority to demand immediate replacement of "anyone who has broken the rules and /or regulations of the Department, who poses a risk or unacceptable threat to the security of the institution or whose actions are disruptive to a specific institution or the Department."

As Dr. Noak's duties include oversight of the clinical aspects of the entire medical contract, and as IDOC has a compelling interest to ensure the safety of our staff and offenders and monitor the performance of its contractors, it is in the best interest of IDOC to exercise our authority under section 07 05.08 of the contract.

Based on the foregoing information, IDOC hereby directs PHS to take immediate action to replace Dr. Noak as Idaho Regional Medical Director with a physician who meets all requirements delineated in Contract #CPO 01131

Sincerely,


Thomas J. Beauclair
Director

PHS 49

001160

EXHIBIT

001161

3/10/04
3:30 to 4:00 pm

Present John Noak
Lois Hart
Barb Shady

Items to cover - Dr Noak:

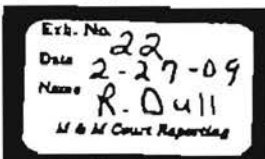
1. - PHS is honoring the clients' wishes and our Contractual Obligations 07.05.08
the Department, at its sole discretion, reserves the right to demand the immediate replacement of anyone who has broken the rules and/or regulations of the Department, who poses a risk or unacceptable threat to the security of the institution or whose actions are disruptive to a specific institution or The Department.

2. Memo dated 3/9/04 by Director Thomas J. Beauclair directs PHS to take immediate action to replace Dr. Noak as Idaho Regional Medical Director.

3. Benefits:
 - (a) final check will be on the next normal pay date - March 26, 2004
 - (b) the paid leave (vacation time) will be paid on the pay date following this April 9, 2004
 - (c) Corp. H.R will contact you on any COBRA benefits available

4. ... as IDOC has a compelling interest to ensure the safety of our staff and offenders and monitor the performance of its contractors, it is in the best interest of IDOC to exercise our authority under ... the contract.

PHS 63



5. As RVP I am a steward of the Contract between the IDOC and PHS. The client has as a result of an internal investigation come to this decision, one that I must enforce.

6. I will need your pager. We have taken the effort to sort your office, please take this time to gather your personal belongings. I will need your office key, and building key before you leave.

also:

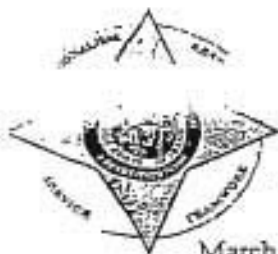
- one of the most difficult duties that I have ever done - John is a personal friend over the last 6 months
- PHS / I have not been privileged to any details of the Ada County investigation or the IDOC investigation
 - Details - I did read this last verbatim
- asked for 2003 eval - provided a copy
- asked for copy of letter - did not provide
- has expense report to process next week
- asked me if I talked to Ada County yesterday - said yes after I was informed they reached a decision

PHS 64

001163

EXHIBIT

001164



IDAHO DEPARTMENT OF CORRECTION

DIRK KEMPTHORNE
Governor

KEVIN J. HARRIS
Director

March 15, 2004

Beverly Kendrick, Quality Assurance Specialist
Idaho State Board of Medicine
PO Box 83720
Boise, ID 83720-0058

Dear Ms. Kendrick:

Pursuant to IDAPA Rule 22.01.01, Section 101 (04), the Idaho Department of Correction (IDOC) is notifying the Idaho Board of Medicine of an occurrence that may warrant your investigation.

An incident occurred at the South Boise Women's Correctional Center (SBWCC) on January 30, 2004, involving John Noak, M.D. Allegedly, Dr. Noak pushed a staff member and grabbed an offender/patient.

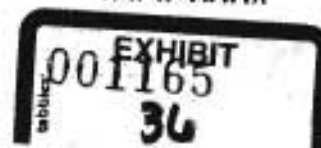
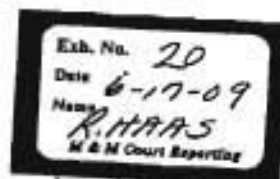
Based upon information provided by the staff member (an employee of Prison Health Services, Inc.) and the patient, IDOC initiated an official investigation to determine whether Dr. Noak committed battery as defined by Idaho statute, and Dr. Noak was banned from entering any IDOC facility or providing direct medical services to any IDOC offender.

Information obtained during the investigation prompted IDOC to direct PHS to obtain an immediate replacement for Dr. Noak. This action was taken in the interest of ensuring the safety of staff and offenders.

Please contact me if additional information is required.

Sincerely,

R. Haas
Medical Services Manager



EXHIBIT

001166

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

JOHN F. NOAK, M.D.,)

Plaintiff,)

vs.) Case No. CV OC 0623517

PRISON HEALTH SERVICES, INC., a)

subsidiary of AMERICAN SERVICES)

GROUP, INC., IDAHO DEPARTMENT OF)

CORRECTION, RICHARD D. HAAS, and)

DOES 1-10,)

Defendants)

DEPOSITION OF JAN ATKINSON

FEBRUARY 24, 2009

REPORTED BY:

CINDY L. LEONHARDT, C.S.R. No. 715, R.P.R.

Notary Public

1 THE DEPOSITION OF JAN ATKINSON was taken on
2 behalf of the Plaintiff at the offices of
3 Comstock & Bush, 199 N. Capitol Boulevard, Suite
4 500, Boise, Idaho, commencing at 1:00 p.m. on
5 February 24, 2009, before Cindy L. Leonhardt,
6 Certified Shorthand Reporter and Notary Public
7 within and for the State of Idaho, in the
8 above-entitled matter.

9 APPEARANCES:

10 For the Plaintiff:

11 Comstock & Bush

12 BY JOHN A. BUSH

13 199 N. Capitol Boulevard, Suite 500

14 P.O. Box 2774

15 Boise, Idaho 83701-2774

16 For Jan Atkinson:

17 Office of Attorney General

18 BY MICHAEL G. McPEEK

19 954 W. Jefferson, 2nd Floor

20 P.O. Box 83720

21 Boise, Idaho 83720-0010

22

23

24

25



Page 2

1 (Pages 1 to 2)

1 A. No.

2 Q. Is there a reason for that?

3 A. I don't recall what it is that I

4 received from Mr. Roe. I just don't remember.

5 But I know that he was telling me he was going to

6 send me the documentation, which would show me

7 that -- a DEA registration is what he said he was

8 going to send me. And what I received was either

9 an application or -- and I don't recall exactly

10 what he sent me, but it was of no use. And I

11 don't really remember why I didn't keep it, but I

12 don't have it.

13 Q. Okay. Fair enough.

14 The letter suggests to me that sometime

15 prior to April 6, you had had contact with

16 someone at PHS or somebody, or Dr. Noak or

17 somebody relative to the DEA registrations or

18 some situation.

19 Do you recall how you first were

20 contacted about any of the matters that led to

21 your letter of April 18, 2004?

22 A. Yes.

23 Q. Tell me about that.

24 A. I received a call from Dr. Noak on

25 March 31st of '04, which was his call regarding

Page 17

1 he had been let go from the prison and his

2 concern for the fact that his DEA registrations

3 were still there, his forms were still there, and

4 he was concerned about the drugs that were under

5 his name and still at the prison. And that was

6 the basis of that call.

7 Q. If you turn to Exhibit 2, is the

8 conversation that you had with Dr. Noak indicated

9 anywhere on there?

10 A. It's indicated at the top of the third

11 sheet, which just indicates the date and that

12 Dr. Noak -- that would be my notation that the

13 call was from Dr. Noak, and that he's no longer

14 affiliated with the prison, and he's not sure but

15 he has some DEA numbers there, and what about

16 them, how does he get them back, and he's worried

17 about them. And that was the entry that I made

18 regarding that.

19 Q. All right. And was that your first

20 indication that Dr. Noak was no longer associated

21 with PHS?

22 A. Yes.

23 Q. Was there anything about what

24 Dr. Noak related to you that gave you any

25 concern?

Page 18

1 are what they call "order forms" for a Schedule
2 II Narcotics, and they're live forms.
3 They're under that doctor's name, and
4 they're used to obtain Schedule II drugs, and
5 someone else could use them to order. But all
6 that would be ordered under Dr. Noak's name. And
7 the drugs that were obtained previously were
8 still under Dr. Noak's name.

9 Q. Was there -- understanding, I think
10 what your testimony just was -- but as it relates
11 to the surrender of the DEA license back to the
12 DEA by Dr. Noak, why was that important or
13 necessary, at least as you understand it?

14 A. As I understand it, his DEA
15 registrations at the prison, because he no longer
16 was employed there, would be invalid. And when
17 you have -- DEA requires the practitioner or the
18 registrant to surrender those or notify DEA that
19 they no longer are using those DEAs or they want
20 -- are surrendering them, whatever they're doing,
21 so that they can change them, cancel them, change
22 the address, correct them, so they have correct
23 information regarding that DEA registration.

24 Q. From the State of Idaho Board of
25 Pharmacy perspective, does the practitioner

Page 21

1 continue to have responsibility for any drugs
2 that are written under his licensure or DEA
3 certificate as long as that certificate remains
4 valid?

5 MS. MAC MASTER: Objection --

6 MR. NAYLOR: Objection; form,
7 foundation.

8 MS. MAC MASTER: And join in the
9 objection.

10 MR. BUSH: Anybody else?

11 MR. NAYLOR: Go ahead. You can answer.

12 THE WITNESS: Yes.

13 Q. (BY MR. BUSH) And as far as you know,
14 does the same hold true from the DEA's
15 perspective?

16 A. Yes.

17 MR. NAYLOR: Same objection.

18 MS. MAC MASTER: Same objection. Move
19 to strike.

20 MR. NAYLOR: You've got to slow down.

21 THE WITNESS: Okay. I'll slow down.

22 Q. (BY MR. BUSH) And if I understand your
23 testimony correctly, until such time as those DEA
24 certificates had either been returned, cancelled,
25 voided or surrendered any drugs that were issued

Page 22

1 or dispensed or ordered under that licensure
2 remained Dr. Noak's responsibility; is that true?

3 MR. NAYLOR: Object to the form,
4 foundation, compound.

5 MS. MAC MASTER: Join in the objection.

6 THE WITNESS: Yes.

7 Q. (BY MR. BUSH) And that was one of the
8 concerns that you had that was communicated to
9 Mr. Dull on March 31, 2004; is that fair?

10 A. Yes.

11 Q. Did Mr. Dull indicate to you any -- did
12 he respond at all to your communication with him
13 on March 31, 2004?

14 A. Yes.

15 Q. What did he tell you?

16 A. He told me he would look into it and
17 contact someone at the prison that should be able
18 to provide me with those DEA registrations.

19 Q. Did he indicate one way or the other as
20 to whether or not the facility PHS was still
21 either ordering or dispensing or issuing
22 medication?

23 A. No.

24 Q. Did you talk to him about that at all
25 at that point?

Page 23

1 A. I'm sure I just reiterated that the DEA
2 registrations belonged to Dr. Noak, and any drugs
3 ordered previously under his name needed to be
4 properly taken care of, transferred, destroyed,
5 whatever they determined they wanted to do; but
6 they had to be taken out of Dr. Noak's name
7 because he was no longer at the prison.

8 Q. Did he indicate to you whether there
9 were any other PHS employees who had left
10 employment and who also had, then, live DEA
11 registrations?

12 A. No.

13 Q. Were you aware of any others at that
14 point?

15 A. No.

16 Q. Did you become aware of any others at
17 any point?

18 A. No.

19 Q. Did you have any discussions with
20 Mr. Dull or did he indicate anything to you about
21 Dr. Noak's termination?

22 A. No.

23 Q. So you didn't have any discussions
24 about his termination or the circumstances?

25 A. None.

Page 24

12 (Pages 23 to 24)

001170

1 Q. Okay. On the second page of your
2 handwritten notes you've got -- and you're going
3 to have to help me interpret and read some of
4 this -- but is it Allison?

5 A. Actually, that is Allison, Wal-Mart,
6 Rexburg, and has nothing at all to do with
7 anything that we're discussing.

8 Q. Okay.

9 A. But in my -- if you look at page 2,
10 which is the one we're looking at, and 3, one
11 page was on the right and one page was on the
12 left, and I was -- I put the Prison Health
13 Services' note on the next page so that I could
14 see that -- but they were actually -- I had
15 already written Allison and all of this down, so
16 they were just -- so that I would -- correct --
17 they were on this one -- the right-hand one with
18 Dr. Noak's communication was my initial call.

19 My second call was to Prison Health
20 Services. But in between that I had made other
21 notes regarding other pharmacy calls, and that
22 was just the way it was noted on my notebook.

23 Q. Okay. So that I understand, your
24 notebook is just -- it's a spiral notebook,
25 correct?

Page 25

1 A. That's correct. It's right here.

2 Q. And if we look at the exhibit, the
3 page, it has 3/31/04. It's a spiral notebook
4 open with two pages. The 3/31/04 would be the
5 page on the left; is that correct?

6 A. That's correct.

7 Q. And then the page with Prison Health
8 would be on the right?

9 A. No. I apologize. 3/31/04 with
10 Dr. Noak would be on the right. And 3/31/04 with
11 Prison Health Services would be on the left.

12 Q. Okay.

13 MR. NAYLOR: Can you just open your
14 notebook?

15 THE WITNESS: Sure.

16 Q. (BY MR. BUSH) Okay. Got it. Thank
17 you. So the entries that relate to your -- well,
18 let me do it this way, let's start with "3/31/04,
19 Dr. Noak." We've talked about that. And then
20 are any of the entries, the other entries on that
21 page, related to this situation?

22 A. Are you talking about Dr. --

23 Q. Yeah. The page with 3/31?

24 A. No. That's the only one that refers to
25 that.

Page 26

EXHIBIT

001172



Idaho State Board of Pharmacy

3380 Americana Terrace, Suite 320

P.O. Box 83720

Boise, Idaho 83720-0067

Telephone (208) 334-2356

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April 18, 2004

Rick Dull, Regional Vice-President
Prison Health Services, Inc.
1111 S. Orchard Street
Boise, Idaho 83705

COPY

RE: Invalid Storage and Transfer of Controlled Substances at ISCI

Dear Mr. Dull:

On April 6, 2004 I received paperwork from Rodney Roe that was initially presented to me as the documentation I requested to substantiate the transfer of controlled substances from Dr. Noak's prison DEA registration to Corey Riggs's prison DEA registration.

This transfer, as required by both federal and state statutes was done improperly and thus was rendered invalid. Corey D. Riggs's DEA registration was not issued to the prison site where these drugs are currently stored and I was also informed that Mr. Riggs no longer works at the location specified on the DEA registration certificate that was used. Mr. Riggs may be in the process of transferring his DEA registration to his prison practice address but he did not notify this office or the DEA of his change of address, which he is required to do prior to changing practice locations. In addition, the transferred inventory should be signed and dated by both the transferring practitioner (Dr. Noak) and the recipient practitioner (Corey Riggs, PA) in order to confirm that both parties are in agreement with the inventory amounts being transferred. By signing and dating the document the recipient practitioner is also attesting to the fact that he or she has taken possession of that inventory and when the official transfer occurred.

Dr. Noak has informed me that the transfer of the controlled substances in maximum security is just one of three inventories that still need to be transferred. There are three separate DEA registrations currently issued to Dr. Noak at three prison sites and according to Dr. Noak all three registrations were used to order controlled substances for those sites. Inventories must still be taken for the two additional sites and the controlled substances must be transferred in the same manner as outlined above. It will be necessary for any additional practitioners retained by Prison Health Services, Inc. and wishing to store, administer or dispense controlled substances at those sites to apply for a DEA registration at each site or notify both the DEA and the Idaho State Board of Pharmacy of an address change to the appropriate prison locations prior to the legal transfer of any controlled substances.

Executive Director: Richard K. Markuson, R.Ph

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All controlled substances inventoried must remain secured and unused at their specific sites until transfer procedures can be accurately documented. No controlled substances in any inventories belonging to Dr. Noak's three DEA registrations or Vern McCready's DEA registration(s) may be dispensed or administered to an inmate until the inventory has been properly transferred to another licensed practitioner with a current DEA registration issued to that location. Failure by a practitioner to follow the directives as outlined above is a violation of Section 37-2720, Idaho Code and Section 1304.04, CFR (Code of Federal Regulations).

It is essential that these medications are transferred correctly and maintained properly at all times. Idaho Code Section 54-1719 gives the Board of Pharmacy the authority to regulate the method of dispensing medications in institutional facilities and includes the right to seize such drugs found to be detrimental to the public health and welfare.

I would encourage all employees of Prison Health Services, Inc. and specifically the practitioners enlisted to provide medical services to these inmates to contact this office if they have any concerns or questions regarding the distribution, administration or storage of medications or the additional requirements for maintaining controlled substances at these sites.

Please notify me immediately when the correct transfer of these controlled substances has taken place, which in turn will allow me to notify DEA and the Board of Medicine that these state and federal violations involving practitioners currently employed by ISCI have been adequately addressed.

Sincerely,



Jan Atkinson
Senior Compliance Officer

cc: Tom Beauclair, Idaho Department of Corrections
Corey D. Riggs P.A.
John F. Noak M.D.
Vern McCready P.A.
Drug Enforcement Administration, Seattle
Board of Medicine
Diamond Pharmacy Services

BD PHARM 8

001174

EXHIBIT

001175

Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
3976156	695	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	696	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	697	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	698	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	699	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	20	ACETAMINOPHEN (TYLENOL) 325MG
4606599	116	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	117	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	30	BUPROPION (WELLBUTRIN) 100MG
5190750	5	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	120	SELENIUM SULFIDE (SELSUN)(120C 2.5%
5251871	8	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5332251	28	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	24	IBUPROFEN (ADVIL) 200MG
5332251	29	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	24	IBUPROFEN (ADVIL) 200MG
5332251	30	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	24	IBUPROFEN (ADVIL) 200MG
5332251	31	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	24	IBUPROFEN (ADVIL) 200MG
5332251	32	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	24	IBUPROFEN (ADVIL) 200MG
5332251	33	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/16/04	24	IBUPROFEN (ADVIL) 200MG
3976156	700	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/17/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	701	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/17/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	702	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/17/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	703	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/17/04	20	ACETAMINOPHEN (TYLENOL) 325MG
4331871	61	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/17/04	30	RANITIDINE (ZANTAC) 150MG
4606599	118	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/17/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	119	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/17/04	30	BUPROPION (WELLBUTRIN) 100MG
4984297	20	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/17/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
5101784	3	1062836	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/17/04	30	ZYPREXA (OLANZAPINE) 15MG
5157719	3	1126220	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/17/04	15	TRIAMCINOLONE CREAM (15GM) 0.5%
5332251	34	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/17/04	24	IBUPROFEN (ADVIL) 200MG
5332251	35	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/17/04	24	IBUPROFEN (ADVIL) 200MG
3976156	704	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	705	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	706	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	707	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	708	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	709	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	710	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	20	ACETAMINOPHEN (TYLENOL) 325MG
4335763	269	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	120	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	121	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	30	BUPROPION (WELLBUTRIN) 100MG
5332251	36	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5332251	37	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5332251	38	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5332251	39	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5332251	40	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5332251	41	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5332251	42	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5332251	43	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG

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EXHIBIT

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5332251	44	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5332251	45	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5332251	46	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5332251	47	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5332251	48	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5332251	49	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5332251	50	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	IBUPROFEN (ADVIL) 200MG
5370723	0	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	1	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	2	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	3	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	4	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	5	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	6	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	7	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	8	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/18/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
3976156	711	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	712	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	713	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	714	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	20	ACETAMINOPHEN (TYLENOL) 325MG
4331871	62	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	30	RANITIDINE (ZANTAC) 150MG
4331871	63	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	30	RANITIDINE (ZANTAC) 150MG
4335763	270	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	122	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	30	BUPROPION (WELLBUTRIN) 100MG
4833726	63	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	64	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5212409	1	1300382	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	30	VIREAD (TENOFVIR) 300MG
5332251	51	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	52	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	53	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	54	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	55	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	56	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	57	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	58	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	59	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	60	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	61	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	62	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	63	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	64	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	65	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	IBUPROFEN (ADVIL) 200MG
5370723	9	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	10	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	11	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5370723	12	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	13	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	14	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	15	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	16	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	17	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	18	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	19	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	20	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	21	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	22	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	23	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/19/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
3976156	715	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	716	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	717	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	718	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	719	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	720	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	721	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	20	ACETAMINOPHEN (TYLENOL) 325MG
4009335	114	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	115	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	116	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	117	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	118	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4151932	111	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	BENZTROPINE (COGENTIN) 2MG
4151932	112	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	BENZTROPINE (COGENTIN) 2MG
4317689	5	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	HCTZ (HYDROCHLOROTHIAZIDE) 25MG
4331871	64	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	RANITIDINE (ZANTAC) 150MG
4335763	271	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	272	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	273	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	274	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	275	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	276	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	277	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	278	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	123	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	124	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	125	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	126	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	BUPROPION (WELLBUTRIN) 100MG
4699625	170	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	171	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	172	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	173	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	174	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispnsd	Drug
4713293	60	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	BACLOFEN (LIORESAL) 20MG
4713293	61	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	BACLOFEN (LIORESAL) 20MG
4905194	11	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	FLUOCINONIDE CRM (LIDEX-30GM) 0.05%
4984297	21	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
5022861	15	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	CHLORPROMAZINE (THORAZINE) 25MG
5022861	16	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	CHLORPROMAZINE (THORAZINE) 25MG
5108270	2	911292	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	120	TRAMADOL (ULTRAM) 50MG
5138373	2	1298921	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	90	TRAMADOL (ULTRAM) 50MG
5190750	6	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	120	SELENIUM SULFIDE (SELSUN)(120C 2.5%
5212398	1	1300382	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	EMTRIVA (EMTRICITABINE) 200MG
5212403	1	1300382	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	SUSTIVA (EFAVIRENZ) 600MG
5322590	19	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	FLUOXETINE (PROZAC) 20MG
5322590	20	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	FLUOXETINE (PROZAC) 20MG
5322590	21	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	FLUOXETINE (PROZAC) 20MG
5322590	22	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	FLUOXETINE (PROZAC) 20MG
5322590	23	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	FLUOXETINE (PROZAC) 20MG
5322590	24	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	FLUOXETINE (PROZAC) 20MG
5332251	66	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	67	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	68	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	69	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	70	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	71	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	72	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	73	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	74	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	75	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	76	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	77	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	78	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	79	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	80	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	81	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	IBUPROFEN (ADVIL) 200MG
5333774	4	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	FLUOXETINE (PROZAC) 20MG
5333774	5	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	30	FLUOXETINE (PROZAC) 20MG
5370723	24	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	25	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	26	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/22/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
3976156	722	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	723	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	724	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	725	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	726	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	727	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	20	ACETAMINOPHEN (TYLENOL) 325MG
4276514	8	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	7.3	QVAR MDI (7.3GM) 40MCG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
4606599	127	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	128	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	30	BUPROPION (WELLBUTRIN) 100MG
4630337	29	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	30	GENACED (EXCEDRIN MIGR.)BULK 250/250/65
4833726	65	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	66	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5332251	82	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	83	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	84	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	85	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	86	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	87	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	88	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	89	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	90	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	24	IBUPROFEN (ADVIL) 200MG
5333774	6	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/23/04	30	FLUOXETINE (PROZAC) 20MG
3976156	728	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	729	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	730	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	731	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	732	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	733	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	734	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	735	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	736	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	737	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	20	ACETAMINOPHEN (TYLENOL) 325MG
4335763	279	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	129	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	30	BUPROPION (WELLBUTRIN) 100MG
4833726	67	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4984297	22	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
4984297	23	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
5157719	4	1126220	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	15	TRIAMCINOLONE CREAM (15GM) 0.5%
5190750	7	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	120	SELENIUM SULFIDE (SELSUN)(120C 2.5%
5251871	9	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5251871	10	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5251871	11	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5322590	25	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	30	FLUOXETINE (PROZAC) 20MG
5322590	26	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	30	FLUOXETINE (PROZAC) 20MG
5322590	27	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	30	FLUOXETINE (PROZAC) 20MG
5322590	28	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	30	FLUOXETINE (PROZAC) 20MG
5322590	29	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	30	FLUOXETINE (PROZAC) 20MG
5370723	27	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5398938	0	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/24/04	30	LEVOXYL(LEVOTHYROXINE-150MCG) 150MCG
3976156	738	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	739	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	740	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	20	ACETAMINOPHEN (TYLENOL) 325MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
4335763	280	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	281	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4713293	62	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	30	BACLOFEN (LIORESAL) 20MG
4880076	1	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	15	CYCLOPENTOLATE (CYCLOGYL)OPHTH 1%
4880076	2	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	15	CYCLOPENTOLATE (CYCLOGYL)OPHTH 1%
4880076	3	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	15	CYCLOPENTOLATE (CYCLOGYL)OPHTH 1%
5133920	2	911237	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	180	TOPAMAX (TOPIRAMATE) 25MG
5251871	12	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5251871	13	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5332251	91	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	24	IBUPROFEN (ADVIL) 200MG
5332251	92	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	24	IBUPROFEN (ADVIL) 200MG
5332251	93	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	24	IBUPROFEN (ADVIL) 200MG
5332251	94	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	24	IBUPROFEN (ADVIL) 200MG
5332251	95	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	24	IBUPROFEN (ADVIL) 200MG
5333774	7	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	30	FLUOXETINE (PROZAC) 20MG
5333774	8	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	30	FLUOXETINE (PROZAC) 20MG
5370723	28	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	29	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	30	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	31	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5402858	0	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	30	AMOXICILLIN (AMOXIL) 500MG
5402858	1	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	30	AMOXICILLIN (AMOXIL) 500MG
5402863	0	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	17	ALBUTEROL (PROVENTIL-VENTOLIN) 17GM
5402863	1	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	17	ALBUTEROL (PROVENTIL-VENTOLIN) 17GM
5402883	0	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	30	ASPIRIN (5 GR)(ASA) 325MG
5402883	1	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/25/04	30	ASPIRIN (5 GR)(ASA) 325MG
4606599	130	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/26/04	30	BUPROPION (WELLBUTRIN) 100MG
4833726	68	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/26/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5158525	1	1281195	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/26/04	120	LITHIUM CARBONATE 300MG
5176630	2	910167	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/26/04	30	TAZORAC (TAZOROTENE) (30GM) 0.1%
5332251	96	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	97	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	98	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/26/04	24	IBUPROFEN (ADVIL) 200MG
5370723	32	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/26/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	69	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/27/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	70	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/27/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4984297	24	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/27/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
5126906	2	1151066	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/27/04	30	VITAMIN E (TOCHOPHEROL) 400IU
3858921	22	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	DESIPRAMINE (NORPRAMINE) 50MG
3859048	9	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	HALOPERIDOL (HALDOL) 0.5MG
3976156	741	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	742	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	743	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	744	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	745	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	20	ACETAMINOPHEN (TYLENOL) 325MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
4009335	119	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	120	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	121	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	122	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	123	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4151932	113	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	BENZTROPINE (COGENTIN) 2MG
4317689	6	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	HCTZ (HYDROCHLOROTHIAZIDE) 25MG
4331871	65	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	RANITIDINE (ZANTAC) 150MG
4335763	282	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4558714	21	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	PYRIDOXINE (VIT B-6) 50MG
4606599	131	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	BUPROPION (WELLBUTRIN) 100MG
4646056	25	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	GLIPIZIDE (GLUCOTROL) 5MG
4692577	4	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	METOPROLOL (LOPRESSOR) 50MG
4699625	175	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	176	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	177	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	178	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	179	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4833726	71	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4905194	12	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	FLUOCINONIDE CRM (LIDEX-30GM) 0.05%
4984297	25	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
5015095	5	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	BENZTROPINE (COGENTIN) 2MG
5022861	17	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	CHLORPROMAZINE (THORAZINE) 25MG
5148391	5	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	NAPROXEN (NAPROSYN) 250MG
5153400	2	708397	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	60	TRAMADOL (ULTRAM) 50MG
5170083	2	911272	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	60	TRAMADOL (ULTRAM) 50MG
5176554	1	910167	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	60	GEMFIBROZIL (LOPID) 600MG
5233735	2	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	ERYTHROMYCIN 500MG
5233735	3	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	ERYTHROMYCIN 500MG
5251871	14	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5251871	15	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5267565	4	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	PIROXICAM (FELDENE) 10MG
5322590	30	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	FLUOXETINE (PROZAC) 20MG
5322590	31	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	FLUOXETINE (PROZAC) 20MG
5322590	32	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	FLUOXETINE (PROZAC) 20MG
5322590	33	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	FLUOXETINE (PROZAC) 20MG
5322590	34	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	FLUOXETINE (PROZAC) 20MG
5332251	99	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	IBUPROFEN (ADVIL) 200MG
5332251	100	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	IBUPROFEN (ADVIL) 200MG
5332251	101	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	IBUPROFEN (ADVIL) 200MG
5332251	102	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	IBUPROFEN (ADVIL) 200MG
5332251	103	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	IBUPROFEN (ADVIL) 200MG
5332251	104	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	IBUPROFEN (ADVIL) 200MG
5332251	105	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	IBUPROFEN (ADVIL) 200MG
5332251	106	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	IBUPROFEN (ADVIL) 200MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5332251	107	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	IBUPROFEN (ADVIL) 200MG
5332251	108	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	IBUPROFEN (ADVIL) 200MG
5332251	109	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	IBUPROFEN (ADVIL) 200MG
5370723	33	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	34	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	35	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	36	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	37	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	38	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5417212	0	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	METHOCARBAMOL (ROBAXIN) 750MG
5417218	0	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	THIOTHIXENE (NAVANE) 10MG
5417218	1	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/29/04	30	THIOTHIXENE (NAVANE) 10MG
4606599	132	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/30/04	30	BUPROPION (WELLBUTRIN) 100MG
4687219	7	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/30/04	30	MEDROXYPROGESTERONE (PROVERA) 10MG
4713293	63	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/30/04	30	BACLOFEN (LIORESAL) 20MG
4833726	72	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/30/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	73	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/30/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5166276	2	1003898	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/30/04	60	BACLOFEN (LIORESAL) 20MG
5332251	110	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/30/04	24	IBUPROFEN (ADVIL) 200MG
5332251	111	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/30/04	24	IBUPROFEN (ADVIL) 200MG
5332251	112	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/30/04	24	IBUPROFEN (ADVIL) 200MG
5332251	113	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/30/04	24	IBUPROFEN (ADVIL) 200MG
5332251	114	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/30/04	24	IBUPROFEN (ADVIL) 200MG
5370723	39	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/30/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5420630	0	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/30/04	30	METOCLOPRAMIDE (REGLAN) 10MG
3976156	746	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	747	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	748	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	749	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	750	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	751	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	20	ACETAMINOPHEN (TYLENOL) 325MG
3976156	752	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	20	ACETAMINOPHEN (TYLENOL) 325MG
4151932	114	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	30	BENZTROPINE (COGENTIN) 2MG
4151932	115	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	30	BENZTROPINE (COGENTIN) 2MG
4335763	283	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	284	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	285	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	286	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	287	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	288	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	289	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4984297	26	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
5166425	2	933647	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	4	EPOETIN-A (PROCRIT) (25 X 1CC) 2,000 U/CC
5166461	2	933647	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	4	EPOETIN-A (PROCRIT) (25 X 1CC) 3,000 U/CC
5252003	1	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	30	SMZ/TMP-DS (SEPTRA-DS) 800/160MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5332251	115	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	24	IBUPROFEN (ADVIL) 200MG
5332251	116	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	24	IBUPROFEN (ADVIL) 200MG
5332251	117	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	24	IBUPROFEN (ADVIL) 200MG
5332251	118	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	24	IBUPROFEN (ADVIL) 200MG
5332251	119	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	24	IBUPROFEN (ADVIL) 200MG
5332251	120	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	24	IBUPROFEN (ADVIL) 200MG
5332251	121	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	24	IBUPROFEN (ADVIL) 200MG
5332251	122	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	03/31/04	24	IBUPROFEN (ADVIL) 200MG
4151932	116	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	BENZTROPINE (COGENTIN) 2MG
4335763	290	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	133	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	BUPROPION (WELLBUTRIN) 100MG
4630337	30	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	GENACED (EXCEDRIN MIGR.)BULK 250/250/65
4676379	5	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	CAPTOPRIL (CAPOTEN) 12.5MG
4699625	180	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	181	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	182	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	183	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	184	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	185	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	186	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	187	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	188	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	189	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4833726	74	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	75	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5251871	16	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5251871	17	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5332251	123	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	24	IBUPROFEN (ADVIL) 200MG
5332251	124	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	24	IBUPROFEN (ADVIL) 200MG
5332251	125	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	24	IBUPROFEN (ADVIL) 200MG
5332251	126	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	24	IBUPROFEN (ADVIL) 200MG
5332251	127	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	24	IBUPROFEN (ADVIL) 200MG
5332251	128	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	24	IBUPROFEN (ADVIL) 200MG
5332251	129	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	24	IBUPROFEN (ADVIL) 200MG
5370723	40	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	41	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	42	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	43	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	44	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	45	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/01/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4331871	66	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	30	RANITIDINE (ZANTAC) 150MG
4335763	291	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	134	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	30	BUPROPION (WELLBUTRIN) 100MG
4713293	64	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	30	BACLOFEN (LIORESAL) 20MG
4713293	65	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	30	BACLOFEN (LIORESAL) 20MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5251871	18	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5332251	130	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	24	IBUPROFEN (ADVIL) 200MG
5332251	131	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	24	IBUPROFEN (ADVIL) 200MG
5333774	9	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	30	FLUOXETINE (PROZAC) 20MG
5370723	46	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	47	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	48	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	49	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	50	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	51	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5438973	0	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	30	HALOPERIDOL (HALDOL) 2MG
5439094	0	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/02/04	30	ACYCLOVIR (ZOVIRAX) 400MG
5445740	0	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	1	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	2	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	3	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	4	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	5	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	6	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	7	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	8	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	9	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
4009335	124	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	125	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	126	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	127	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4151932	117	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	BENZTROPINE (COGENTIN) 2MG
4151932	118	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	BENZTROPINE (COGENTIN) 2MG
4208757	41	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	GEMFIBROZIL (LOPID) 600MG
4208757	42	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	GEMFIBROZIL (LOPID) 600MG
4335763	292	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	293	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	294	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	295	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	296	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	135	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	136	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	137	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	BUPROPION (WELLBUTRIN) 100MG
4713293	66	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	BACLOFEN (LIORESAL) 20MG
4713293	67	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	BACLOFEN (LIORESAL) 20MG
4783667	14	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	ENALAPRIL (VASOTEC) 5MG
4783667	15	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	ENALAPRIL (VASOTEC) 5MG
5176570	2	1122447	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	VITAMIN E (TOCHOPHEROL) 600IU
5183585	4	1186233	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	15	CLOBETASOL CRM (TEMOVATE-15GM) 0.05%
5251871	19	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	ACETAMINOPHEN (TYLENOL) 325MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5251871	20	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5322590	35	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	FLUOXETINE (PROZAC) 20MG
5322590	36	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	FLUOXETINE (PROZAC) 20MG
5322590	37	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	FLUOXETINE (PROZAC) 20MG
5322590	38	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	FLUOXETINE (PROZAC) 20MG
5322590	39	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	FLUOXETINE (PROZAC) 20MG
5322590	40	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	FLUOXETINE (PROZAC) 20MG
5322590	41	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	FLUOXETINE (PROZAC) 20MG
5322590	42	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	FLUOXETINE (PROZAC) 20MG
5322590	43	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	FLUOXETINE (PROZAC) 20MG
5322590	44	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	FLUOXETINE (PROZAC) 20MG
5332251	132	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	133	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	134	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	135	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	136	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	137	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	138	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	139	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	140	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	141	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	142	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	143	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	144	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	145	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	146	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	147	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	IBUPROFEN (ADVIL) 200MG
5333774	10	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	FLUOXETINE (PROZAC) 20MG
5333774	11	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	FLUOXETINE (PROZAC) 20MG
5370723	52	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	53	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	54	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	55	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	56	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	57	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	58	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	59	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	60	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	61	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	62	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	63	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5417218	2	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	30	THIOTHIXENE (NAVANE) 10MG
5445740	10	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	11	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	12	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	ACETAMINOPHEN (TYLENOL) 325MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5445740	13	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	14	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	15	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/05/04	24	ACETAMINOPHEN (TYLENOL) 325MG
4606599	138	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/06/04	30	BUPROPION (WELLBUTRIN) 100MG
4984297	27	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/06/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
5332251	148	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/06/04	24	IBUPROFEN (ADVIL) 200MG
5332251	149	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/06/04	24	IBUPROFEN (ADVIL) 200MG
5332251	150	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/06/04	24	IBUPROFEN (ADVIL) 200MG
5332251	151	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/06/04	24	IBUPROFEN (ADVIL) 200MG
4009335	128	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	129	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	130	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	131	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	132	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4331871	67	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	30	RANITIDINE (ZANTAC) 150MG
4335763	297	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4699625	190	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	191	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	192	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	193	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	194	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4833726	76	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	77	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	78	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	79	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	80	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4984297	28	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
5332251	152	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	IBUPROFEN (ADVIL) 200MG
5332251	153	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	IBUPROFEN (ADVIL) 200MG
5332251	154	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	IBUPROFEN (ADVIL) 200MG
5332251	155	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	IBUPROFEN (ADVIL) 200MG
5332251	156	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	IBUPROFEN (ADVIL) 200MG
5332251	157	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	IBUPROFEN (ADVIL) 200MG
5332251	158	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	IBUPROFEN (ADVIL) 200MG
5370723	64	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	65	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	66	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	67	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5445740	16	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	17	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	18	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	19	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	20	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	21	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	22	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/07/04	24	ACETAMINOPHEN (TYLENOL) 325MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
4151932	119	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	30	BENZTROPINE (COGENTIN) 2MG
4331871	68	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	30	RANITIDINE (ZANTAC) 150MG
4335763	298	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	139	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	30	BUPROPION (WELLBUTRIN) 100MG
5251871	21	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5332251	159	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	IBUPROFEN (ADVIL) 200MG
5332251	160	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	IBUPROFEN (ADVIL) 200MG
5332251	161	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	IBUPROFEN (ADVIL) 200MG
5332251	162	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	IBUPROFEN (ADVIL) 200MG
5332251	163	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	IBUPROFEN (ADVIL) 200MG
5332251	164	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	IBUPROFEN (ADVIL) 200MG
5332251	165	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	IBUPROFEN (ADVIL) 200MG
5332251	166	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	IBUPROFEN (ADVIL) 200MG
5332251	167	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	IBUPROFEN (ADVIL) 200MG
5332251	168	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	IBUPROFEN (ADVIL) 200MG
5370723	68	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	69	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	70	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	71	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	72	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	73	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	74	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	75	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5402858	2	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	30	AMOXICILLIN (AMOXIL) 500MG
5402858	3	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	30	AMOXICILLIN (AMOXIL) 500MG
5402858	4	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	30	AMOXICILLIN (AMOXIL) 500MG
5445740	23	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	24	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	25	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	26	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	27	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	28	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	29	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	30	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	31	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	32	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5465354	0	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	30	DICLOXACILLIN (DYNAPEN) 250MG
5465354	1	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	30	DICLOXACILLIN (DYNAPEN) 250MG
5465354	2	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	30	DICLOXACILLIN (DYNAPEN) 250MG
5465379	0	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/08/04	30	GUAIFEN PSE SR 12HR 600-120MG
4151932	120	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/09/04	30	BENZTROPINE (COGENTIN) 2MG
4151932	121	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/09/04	30	BENZTROPINE (COGENTIN) 2MG
5332251	169	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/09/04	24	IBUPROFEN (ADVIL) 200MG
5332251	170	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/09/04	24	IBUPROFEN (ADVIL) 200MG
5332251	171	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/09/04	24	IBUPROFEN (ADVIL) 200MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5332251	172	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/09/04	24	IBUPROFEN (ADVIL) 200MG
5370723	76	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/09/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	77	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/09/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5439094	1	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/09/04	30	ACYCLOVIR (ZOVIRAX) 400MG
5445740	33	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/09/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	34	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/09/04	24	ACETAMINOPHEN (TYLENOL) 325MG
4331871	69	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/10/04	30	RANITIDINE (ZANTAC) 150MG
4731413	10	915675	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/10/04	30	RANITIDINE (ZANTAC) 150MG
4833726	81	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/10/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	82	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/10/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5152522	2	1022591	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/10/04	23	DITROPAN XL (OXYBUTYNIN) 10MG
5166265	1	1003898	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/10/04	72	IBUPROFEN (MOTRIN) 400MG
5183585	5	1186233	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/10/04	15	CLOBETASOL CRM (TEMOVATE-15GM) 0.05%
5251871	22	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/10/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5251871	23	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/10/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5402858	5	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/10/04	30	AMOXICILLIN (AMOXIL) 500MG
3858921	23	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	DESIPRAMINE (NORPRAMINE) 50MG
4127371	38	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	ANTACID CHEW (GAVISCON/GENATON 80MG/20MG
4151932	122	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	BENZTROPINE (COGENTIN) 2MG
4276514	9	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	7.3	QVAR MDI (7.3GM) 40MCG
4331871	70	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	RANITIDINE (ZANTAC) 150MG
4335763	299	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	300	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	301	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	302	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	140	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	BUPROPION (WELLBUTRIN) 100MG
4699625	195	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	196	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	197	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	198	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	199	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4713293	68	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	BACLOFEN (LIORESAL) 20MG
4713293	69	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	BACLOFEN (LIORESAL) 20MG
4713293	70	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	BACLOFEN (LIORESAL) 20MG
4833726	83	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	84	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	85	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4905194	13	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	FLUOCINONIDE CRM (LIDEX-30GM) 0.05%
5022861	18	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	CHLORPROMAZINE (THORAZINE) 25MG
5251871	24	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5322590	45	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	FLUOXETINE (PROZAC) 20MG
5322590	46	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	FLUOXETINE (PROZAC) 20MG
5322590	47	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	FLUOXETINE (PROZAC) 20MG
5322590	48	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	FLUOXETINE (PROZAC) 20MG
5322590	49	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	FLUOXETINE (PROZAC) 20MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispnsd	Drug
5322590	50	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	FLUOXETINE (PROZAC) 20MG
5322590	51	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	FLUOXETINE (PROZAC) 20MG
5322590	52	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	FLUOXETINE (PROZAC) 20MG
5322590	53	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	FLUOXETINE (PROZAC) 20MG
5322590	54	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	FLUOXETINE (PROZAC) 20MG
5332251	173	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	IBUPROFEN (ADVIL) 200MG
5332251	174	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	IBUPROFEN (ADVIL) 200MG
5332251	175	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	IBUPROFEN (ADVIL) 200MG
5332251	176	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	IBUPROFEN (ADVIL) 200MG
5332251	177	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	IBUPROFEN (ADVIL) 200MG
5332251	178	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	IBUPROFEN (ADVIL) 200MG
5332251	179	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	IBUPROFEN (ADVIL) 200MG
5332251	180	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	IBUPROFEN (ADVIL) 200MG
5332251	181	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	IBUPROFEN (ADVIL) 200MG
5332251	182	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	IBUPROFEN (ADVIL) 200MG
5332251	183	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	IBUPROFEN (ADVIL) 200MG
5333774	12	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	FLUOXETINE (PROZAC) 20MG
5370723	78	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	79	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	80	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	81	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	82	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	83	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	84	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	85	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	86	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	87	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	88	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	89	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	90	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5445740	35	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	36	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	37	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	38	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5476908	0	1330185	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	30	FLUOCINONIDE CRM (LIDEX-30GM) 0.05%
5476914	0	994771	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/12/04	10	MEDROXYPROGESTERONE (PROVERA) 5MG
4331871	71	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	30	RANITIDINE (ZANTAC) 150MG
4335763	303	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	304	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	305	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	306	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	307	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	141	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	142	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	30	BUPROPION (WELLBUTRIN) 100MG
4713293	71	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	30	BACLOFEN (LIORESAL) 20MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
4833726	86	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	87	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4984297	29	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
4984297	30	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
5015095	6	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	30	BENZTROPINE (COGENTIN) 2MG
5153566	2	1126220	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	60	TRAMADOL (ULTRAM) 50MG
5332251	184	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	24	IBUPROFEN (ADVIL) 200MG
5332251	185	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	24	IBUPROFEN (ADVIL) 200MG
5332251	186	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	24	IBUPROFEN (ADVIL) 200MG
5344712	4	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	5	FLUPHENAZINE DEC.(PROLIXIN)5CC 25MG/CC
5370723	91	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5402863	2	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	17	ALBUTEROL (PROVENTIL-VENTOLIN) 17GM
5445740	39	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	40	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5485572	0	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	15	TRIAMCINOLONE OINT (15GM) 0.5%
5485572	1	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	15	TRIAMCINOLONE OINT (15GM) 0.5%
5485572	2	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	15	TRIAMCINOLONE OINT (15GM) 0.5%
5485572	3	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	15	TRIAMCINOLONE OINT (15GM) 0.5%
5485572	4	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	15	TRIAMCINOLONE OINT (15GM) 0.5%
5485572	5	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	15	TRIAMCINOLONE OINT (15GM) 0.5%
5485572	6	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	15	TRIAMCINOLONE OINT (15GM) 0.5%
5485572	7	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	15	TRIAMCINOLONE OINT (15GM) 0.5%
5485572	8	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	15	TRIAMCINOLONE OINT (15GM) 0.5%
5485572	9	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/13/04	15	TRIAMCINOLONE OINT (15GM) 0.5%
4009335	133	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/14/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	134	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/14/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	135	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/14/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	136	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/14/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	137	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/14/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	88	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/14/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4905194	14	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/14/04	30	FLUOCINONIDE CRM (LIDEX-30GM) 0.05%
5333774	13	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/14/04	30	FLUOXETINE (PROZAC) 20MG
4276514	10	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/15/04	7.3	QVAR MDI (7.3GM) 40MCG
4331871	72	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/15/04	30	RANITIDINE (ZANTAC) 150MG
4731413	11	915675	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/15/04	30	RANITIDINE (ZANTAC) 150MG
4731413	12	915675	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/15/04	30	RANITIDINE (ZANTAC) 150MG
4833726	89	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/15/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4984297	31	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/15/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
5190750	8	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/15/04	120	SELENIUM SULFIDE (SELSUN)(120C 2.5%
5332251	187	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/15/04	24	IBUPROFEN (ADVIL) 200MG
5332251	188	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/15/04	24	IBUPROFEN (ADVIL) 200MG
5332251	189	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/15/04	24	IBUPROFEN (ADVIL) 200MG
5332251	190	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/15/04	24	IBUPROFEN (ADVIL) 200MG
4331871	73	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/16/04	30	RANITIDINE (ZANTAC) 150MG
5170069	1	911272	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/16/04	38	TRAMADOL (ULTRAM) 50MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5402863	3	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/16/04	17	ALBUTEROL (PROVENTIL-VENTOLIN) 17GM
4833726	90	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/17/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	91	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/17/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	92	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/17/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	93	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/17/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4151932	123	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	30	BENZTROPINE (COGENTIN) 2MG
4151932	124	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	30	BENZTROPINE (COGENTIN) 2MG
4335763	308	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	309	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	143	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	144	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	145	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	30	BUPROPION (WELLBUTRIN) 100MG
4713293	72	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	30	BACLOFEN (LIORESAL) 20MG
4713293	73	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	30	BACLOFEN (LIORESAL) 20MG
4713293	74	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	30	BACLOFEN (LIORESAL) 20MG
4731413	13	915675	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	30	RANITIDINE (ZANTAC) 150MG
4833726	94	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	95	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	96	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	97	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	98	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5332251	191	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	192	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	193	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	194	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	195	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	196	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	197	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	198	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	24	IBUPROFEN (ADVIL) 200MG
5332251	199	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	24	IBUPROFEN (ADVIL) 200MG
5402858	6	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	30	AMOXICILLIN (AMOXIL) 500MG
5445740	41	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	42	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/19/04	24	ACETAMINOPHEN (TYLENOL) 325MG
4009335	138	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4317689	7	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	HCTZ (HYDROCHLOROTHIAZIDE) 25MG
4317689	8	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	HCTZ (HYDROCHLOROTHIAZIDE) 25MG
4558714	22	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	PYRIDOXINE (VIT B-6) 50MG
4606599	146	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	BUPROPION (WELLBUTRIN) 100MG
4731413	14	915675	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	RANITIDINE (ZANTAC) 150MG
4731413	15	915675	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	RANITIDINE (ZANTAC) 150MG
4833726	99	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4984297	32	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
5158525	2	1281195	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	52	LITHIUM CARBONATE 300MG
5176630	3	910167	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	TAZORAC (TAZOROTENE) (30GM) 0.1%
5212409	2	1300382	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	23	VIREAD (TENOFVIR) 300MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5267565	5	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	PIROXICAM (FELDENE) 10MG
5267565	6	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	PIROXICAM (FELDENE) 10MG
5322590	55	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	FLUOXETINE (PROZAC) 20MG
5322590	56	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	FLUOXETINE (PROZAC) 20MG
5322590	57	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	FLUOXETINE (PROZAC) 20MG
5322590	58	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	FLUOXETINE (PROZAC) 20MG
5322590	59	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	30	FLUOXETINE (PROZAC) 20MG
5332251	200	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	24	IBUPROFEN (ADVIL) 200MG
5332251	201	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	24	IBUPROFEN (ADVIL) 200MG
5332251	202	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	24	IBUPROFEN (ADVIL) 200MG
5332251	203	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	24	IBUPROFEN (ADVIL) 200MG
5445740	43	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	44	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	45	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/20/04	24	ACETAMINOPHEN (TYLENOL) 325MG
4127371	39	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	30	ANTACID CHEW (GAVISCON/GENATON 80MG/20MG
4127371	40	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	30	ANTACID CHEW (GAVISCON/GENATON 80MG/20MG
4331871	74	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	30	RANITIDINE (ZANTAC) 150MG
4833726	100	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	101	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	102	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	103	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4984297	33	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	15	TRIAMCINOLONE CREAM (15GM) 0.1%
5212403	2	1300382	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	22	SUSTIVA (EFAVIRENZ) 600MG
5332251	204	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	24	IBUPROFEN (ADVIL) 200MG
5332251	205	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	24	IBUPROFEN (ADVIL) 200MG
5332251	206	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	24	IBUPROFEN (ADVIL) 200MG
5332251	207	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	24	IBUPROFEN (ADVIL) 200MG
5332251	208	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	24	IBUPROFEN (ADVIL) 200MG
5332251	209	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	24	IBUPROFEN (ADVIL) 200MG
5332251	210	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	24	IBUPROFEN (ADVIL) 200MG
5332251	211	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	24	IBUPROFEN (ADVIL) 200MG
5370723	92	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5445740	46	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	47	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	48	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	49	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/21/04	24	ACETAMINOPHEN (TYLENOL) 325MG
4335763	310	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	311	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	312	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	313	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	314	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	315	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	147	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	148	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	BUPROPION (WELLBUTRIN) 100MG
4676379	6	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	CAPTOPRIL (CAPOTEN) 12.5MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
4699625	200	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	201	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	202	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	203	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	204	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4713293	75	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	BACLOFEN (LIORESAL) 20MG
4833726	104	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5015095	7	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	BENZTROPINE (COGENTIN) 2MG
5322590	60	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	FLUOXETINE (PROZAC) 20MG
5322590	61	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	FLUOXETINE (PROZAC) 20MG
5332251	212	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	213	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	214	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	215	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	216	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	217	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	218	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	IBUPROFEN (ADVIL) 200MG
5332251	219	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	IBUPROFEN (ADVIL) 200MG
5370723	93	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5445740	50	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	51	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	52	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	53	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	54	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	55	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	56	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	57	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	58	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	59	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	60	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	61	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	62	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5529812	0	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	HALOPERIDOL (HALDOL) 0.5MG
5532209	0	907155	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	IMIPRAMINE (TOFRANIL) 10MG
5532209	1	907155	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	IMIPRAMINE (TOFRANIL) 10MG
5532209	2	907155	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/22/04	30	IMIPRAMINE (TOFRANIL) 10MG
4606599	149	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	30	BUPROPION (WELLBUTRIN) 100MG
4713293	76	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	30	BACLOFEN (LIORESAL) 20MG
4713293	77	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	30	BACLOFEN (LIORESAL) 20MG
4833726	105	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5212398	2	1300382	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	20	EMTRIVA (EMTRICITABINE) 200MG
5332251	220	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	221	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	222	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	223	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	24	IBUPROFEN (ADVIL) 200MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5332251	224	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	225	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	226	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	227	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	24	IBUPROFEN (ADVIL) 200MG
5332251	228	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	24	IBUPROFEN (ADVIL) 200MG
5370723	94	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5533835	0	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	30	ISONIAZID (INH) 300MG
5533835	1	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/23/04	30	ISONIAZID (INH) 300MG
4833726	106	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/24/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	139	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	140	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4127371	41	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	ANTACID CHEW (GAVISCON/GENATON 80MG/20MG
4127371	42	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	ANTACID CHEW (GAVISCON/GENATON 80MG/20MG
4151932	125	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	BENZTROPINE (COGENTIN) 2MG
4151932	126	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	BENZTROPINE (COGENTIN) 2MG
4317689	9	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	HCTZ (HYDROCHLOROTHIAZIDE) 25MG
4335763	316	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	317	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	318	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	319	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	150	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	151	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	152	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	153	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	BUPROPION (WELLBUTRIN) 100MG
4699625	205	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4713293	78	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	BACLOFEN (LIORESAL) 20MG
4713293	79	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	BACLOFEN (LIORESAL) 20MG
4713293	80	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	BACLOFEN (LIORESAL) 20MG
4905194	15	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	FLUOCINONIDE CRM (LIDEX-30GM) 0.05%
5190750	9	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	120	SELENIUM SULFIDE (SELSUN)(120C 2.5%
5190750	10	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	120	SELENIUM SULFIDE (SELSUN)(120C 2.5%
5251871	25	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5265548	2	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	ENALAPRIL (VASOTEC) 10MG
5265548	3	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	ENALAPRIL (VASOTEC) 10MG
5322443	2	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	5	PPD (TUBERCULIN-APLISOL)(5CC) 50-TESTS
5322443	3	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	5	PPD (TUBERCULIN-APLISOL)(5CC) 50-TESTS
5322590	62	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	FLUOXETINE (PROZAC) 20MG
5322590	63	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	FLUOXETINE (PROZAC) 20MG
5322590	64	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	FLUOXETINE (PROZAC) 20MG
5322590	65	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	FLUOXETINE (PROZAC) 20MG
5322590	66	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	FLUOXETINE (PROZAC) 20MG
5322590	67	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	FLUOXETINE (PROZAC) 20MG
5322590	68	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	FLUOXETINE (PROZAC) 20MG
5332251	229	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	230	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG

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Rx #	Refill #	Patient ID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5332251	231	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	232	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	233	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	234	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	235	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	236	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	237	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	238	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	239	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	240	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	241	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	242	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5332251	243	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	IBUPROFEN (ADVIL) 200MG
5333774	14	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	FLUOXETINE (PROZAC) 20MG
5333774	15	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	FLUOXETINE (PROZAC) 20MG
5333774	16	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	FLUOXETINE (PROZAC) 20MG
5333774	17	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	FLUOXETINE (PROZAC) 20MG
5370723	95	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	96	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	97	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	98	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	99	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	100	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	101	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5398938	1	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	LEVOXYL(LEVOTHYROXINE-150MCG) 150MCG
5445740	63	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	64	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	65	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	66	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	67	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	68	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	69	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	70	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	71	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	72	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	73	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	74	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5532209	3	907155	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	IMIPRAMINE (TOFRANIL) 10MG
5532209	4	907155	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	IMIPRAMINE (TOFRANIL) 10MG
5544127	0	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	FUROSEMIDE (LASIX) 40MG
5544179	0	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	CHLORPROMAZINE (THORAZINE) 25MG
5544179	1	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	CHLORPROMAZINE (THORAZINE) 25MG
5544179	2	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/26/04	30	CHLORPROMAZINE (THORAZINE) 25MG
4606599	154	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/27/04	30	BUPROPION (WELLBUTRIN) 100MG
4606599	155	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/27/04	30	BUPROPION (WELLBUTRIN) 100MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
4713293	81	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/27/04	30	BACLOFEN (LIORESAL) 20MG
4833726	107	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/27/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5332251	244	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/27/04	24	IBUPROFEN (ADVIL) 200MG
5332251	245	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/27/04	24	IBUPROFEN (ADVIL) 200MG
5332251	246	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/27/04	24	IBUPROFEN (ADVIL) 200MG
5332251	247	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/27/04	24	IBUPROFEN (ADVIL) 200MG
5332251	248	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/27/04	24	IBUPROFEN (ADVIL) 200MG
5420630	1	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/27/04	30	METOCLOPRAMIDE (REGLAN) 10MG
4127371	43	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	30	ANTACID CHEW (GAVISCON/GENATON 80MG/20MG
4335763	320	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	30	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4635463	4	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	30	ENALAPRIL (VASOTEC) 10MG
4731413	16	915675	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	30	RANITIDINE (ZANTAC) 150MG
4833726	108	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5332251	249	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	IBUPROFEN (ADVIL) 200MG
5332251	250	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	IBUPROFEN (ADVIL) 200MG
5332251	251	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	IBUPROFEN (ADVIL) 200MG
5332251	252	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	IBUPROFEN (ADVIL) 200MG
5332251	253	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	IBUPROFEN (ADVIL) 200MG
5332251	254	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	IBUPROFEN (ADVIL) 200MG
5332251	255	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	IBUPROFEN (ADVIL) 200MG
5332251	256	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	IBUPROFEN (ADVIL) 200MG
5332251	257	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	IBUPROFEN (ADVIL) 200MG
5332251	258	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	IBUPROFEN (ADVIL) 200MG
5370723	102	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	103	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	104	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	105	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	106	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	107	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	108	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5445740	75	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	76	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	77	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	78	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	79	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5553509	0	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/28/04	30	DESIPRAMINE (NORPRAMINE) 50MG
4833726	109	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/29/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5251871	26	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/29/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5333774	18	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/29/04	30	FLUOXETINE (PROZAC) 20MG
5370723	109	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/29/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	110	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/29/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	111	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/29/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	112	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/29/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	113	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/29/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	114	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/29/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5402858	7	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/29/04	30	AMOXICILLIN (AMOXIL) 500MG
5445740	80	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/29/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	81	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/29/04	24	ACETAMINOPHEN (TYLENOL) 325MG
4335763	321	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	30	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	156	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	30	BUPROPION (WELLBUTRIN) 100MG
4699625	206	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	207	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	208	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	209	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	210	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4833726	110	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5190750	11	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	120	SELENIUM SULFIDE (SELSUN)(120C 2.5%
5190750	12	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	120	SELENIUM SULFIDE (SELSUN)(120C 2.5%
5332251	259	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	24	IBUPROFEN (ADVIL) 200MG
5332251	260	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	24	IBUPROFEN (ADVIL) 200MG
5332251	261	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	24	IBUPROFEN (ADVIL) 200MG
5332251	262	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	24	IBUPROFEN (ADVIL) 200MG
5332251	263	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	24	IBUPROFEN (ADVIL) 200MG
5332251	264	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	24	IBUPROFEN (ADVIL) 200MG
5370723	115	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	116	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5445740	82	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	83	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	84	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5485572	10	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	04/30/04	15	TRIAMCINOLONE OINT (15GM) 0.5%
4905194	16	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/01/04	30	FLUOCINONIDE CRM (LIDEX-30GM) 0.05%
5333774	19	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/01/04	30	FLUOXETINE (PROZAC) 20MG
4151932	127	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	BENZTROPINE (COGENTIN) 2MG
4151932	128	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	BENZTROPINE (COGENTIN) 2MG
4335763	322	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	323	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4335763	324	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4558714	23	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	PYRIDOXINE (VIT B-6) 50MG
4558714	24	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	PYRIDOXINE (VIT B-6) 50MG
4692577	5	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	METOPROLOL (LOPRESSOR) 50MG
4699625	211	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	212	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	213	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	214	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	215	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	216	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	217	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	218	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	219	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG
4699625	220	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	CARBAMAZEPINE (TEGRETOL-CHEW) 100MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
4713293	82	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	BACLOFEN (LIORESAL) 20MG
4833726	111	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4833726	112	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4905194	17	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	FLUOCINONIDE CRM (LIDEX-30GM) 0.05%
5015095	8	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	BENZTROPINE (COGENTIN) 2MG
5251871	27	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5322590	69	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	FLUOXETINE (PROZAC) 20MG
5322590	70	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	FLUOXETINE (PROZAC) 20MG
5322590	71	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	FLUOXETINE (PROZAC) 20MG
5322590	72	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	FLUOXETINE (PROZAC) 20MG
5322590	73	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	FLUOXETINE (PROZAC) 20MG
5332251	265	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	266	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	267	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	268	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	269	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	270	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	271	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	272	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	273	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	274	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	275	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	276	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	277	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	278	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5332251	279	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	IBUPROFEN (ADVIL) 200MG
5333774	20	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	FLUOXETINE (PROZAC) 20MG
5370723	117	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	118	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	119	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	120	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	121	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	122	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	123	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	124	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	125	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	126	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	127	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	128	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5445740	85	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	86	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	87	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	88	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	89	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	90	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG

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Rx #	Refill #	PatientID	Stock or Patient	Doctor	DEA #	Fill Date	Qty Dispensed	Drug
5445740	91	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	92	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5575052	0	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	GENACED (EXCEDRIN MIGR.)BULK 250/250/65
5575313	0	911923	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/03/04	30	METRONIDAZOLE (FLAGYL) 250MG
4635463	5	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/04/04	30	ENALAPRIL (VASOTEC) 10MG
4833726	113	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/04/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5320644	1	832994	Patient	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/04/04	2	DEPO-TESTOST (1ML)(TESTO.CYP.) 200MG/CC
5333774	21	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/04/04	30	FLUOXETINE (PROZAC) 20MG
4331871	75	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	30	RANITIDINE (ZANTAC) 150MG
4331871	76	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	30	RANITIDINE (ZANTAC) 150MG
4335763	325	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	157	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	30	BUPROPION (WELLBUTRIN) 100MG
4905194	18	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	30	FLUOCINONIDE CRM (LIDEX-30GM) 0.05%
4905194	19	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	30	FLUOCINONIDE CRM (LIDEX-30GM) 0.05%
5251871	28	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5251871	29	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5332251	280	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	281	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	282	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	283	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	24	IBUPROFEN (ADVIL) 200MG
5332251	284	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	24	IBUPROFEN (ADVIL) 200MG
5370723	129	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5370723	130	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5445740	93	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	24	ACETAMINOPHEN (TYLENOL) 325MG
5445740	94	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/05/04	24	ACETAMINOPHEN (TYLENOL) 325MG
4713293	83	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/06/04	30	BACLOFEN (LIORESAL) 20MG
4833726	114	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/06/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5332251	285	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/06/04	24	IBUPROFEN (ADVIL) 200MG
5370723	131	912536	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/06/04	24	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5575052	1	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/06/04	30	GENACED (EXCEDRIN MIGR.)BULK 250/250/65
5592662	0	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/06/04	45	MICONAZOLE VAG.CR. (MONISTAT) 2%
4335763	326	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/07/04	10	NOVOLIN-N (NPH) INSULIN 10CC 100U/CC
4606599	158	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/07/04	30	BUPROPION (WELLBUTRIN) 100MG
4833726	115	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/07/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5402863	4	912532	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/07/04	17	ALBUTEROL (PROVENTIL-VENTOLIN) 17GM
4833726	116	913265	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/08/04	12	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
5251871	30	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/08/04	30	ACETAMINOPHEN (TYLENOL) 325MG
5333774	22	907153	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/08/04	30	FLUOXETINE (PROZAC) 20MG
4009335	141	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/10/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	142	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/10/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	143	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/10/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	144	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/10/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	145	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/10/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	146	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/10/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG
4009335	147	911924	Stock	NOAK, M.D. (MED DIR), JOHN	BN8049416	05/10/04	20	CHLORPHENIRAMINE (CTM) (CARDS) 4MG

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